California Journal
The Monthly Analysis of State Government and Politics
December 1981/$1.75

How imagemakers package the candidates for governor

Summary of 1981 legislation

Why special interests dominate the Capitol

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Shortly after Lieutenant Governor Mike Curb unleashed his Palm Springs outburst at reporter Linda Breakstone of the *Los Angeles Herald Examiner*, Mayor Pete Wilson of San Diego walked up to Breakstone and declared: "Boy, I wish I had your name identification."

Alan Gershman, newly elected to the Los Angeles Board of Education, came up with a unique idea for a fund-raiser — a Back-to-school Ice Cream Social and Spelling Bee. State Senator Alan Sieroty, who fancies himself as a regular Webster, came prepared to win the bee. He went down on the first word, which was "pallor." Separate lists of words were used for adults and youngsters. The social turned out to be an embarrassment for the candidate. The grand-prize winner was a third grader at the Brentwood Science Elementary School, one Jeremy Gershman.

Does Ronald Reagan know that his official White House photographer, Mike Evans, isn't an American citizen? (He's from Canada.)

In great demand as a speaker at Republican and non-partisan testimonial dinners: Freshman Assemblyman Bill Baker of Contra Costa County, who is the master of the one-liner.

The following is an excerpt from a letter to the editor of the London *Economist* magazine: "America is vastly and wastefully overshopped — something which might happen in Britain if we allow unrestrained shopping development." It was signed B. T. Collins. (Not the chief of staff to Governor Brown, but a Nottinghamshire county council member.)

If the petitions seeking the recall of Chief Justice Rose Bird force a vote on the issue, a never-used section of the state Constitution will come into play. If Bird were to beat the recall, all of her campaign expenses would be reimbursed by the state.

Bug Off Productions, peddlers of the Wild Med-Fly (a dead fly encased in a plastic apple), report that the items are selling well all across the country. Bug Off, the fly-in-an-apple, is a "barbed political joke."

Is Fresno County paving the way for *de facto* legalization of prostitution in California? The county is initiating an unofficial licensing system by checking hookers for VD every two weeks. Theoretically, only those prostitutes without valid health cards would be subject to arrest. That's precisely the system that has been used for many years in some European countries.

For the record: The photos of Jerry and Jack Ford in last month's *Journal* were shot by San Diego free lancer Joe Klein.

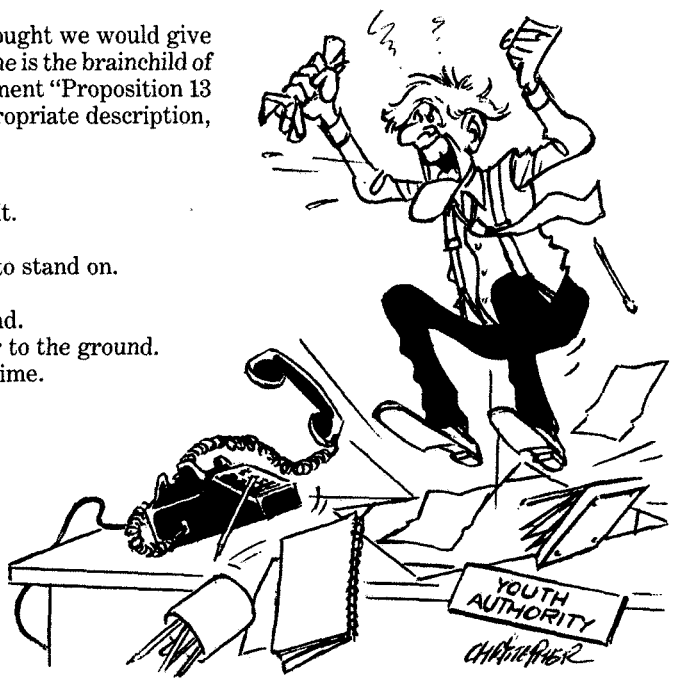
Here's how Quentin Kopp of San Francisco, president of the County Supervisors Association, characterized the 1981 session of the Legislature: "It was probably the most arrogant display of indifference to county government that I have observed in 10 years as a supervisor."

Considerable hard feeling has developed between the Republican Lincoln Club of Los Angeles and a splinter group headed by Julian Virtue, former GOP finance chairman in LA. Virtue took the mailing list from the Lincoln Club and is using it to raise funds for a new organization, which he called the California Lincoln Club.

Proposition 13 struck and . . .

The fictitious-bill game was so successful that we thought we would give our readers another chance to play with words. This game is the brainchild of Sacramento writer Luana Luther. Start with the statement "Proposition 13 struck and . . ." Then name a department and the appropriate description, such as:

The State Fire Marshal became incensed.
The Department of Consumer Affairs wouldn't buy it.
The California Youth Authority threw a tantrum.
The Department of Rehabilitation didn't have a leg to stand on.
The California Highway Patrol remained chipper.
The Department of Transportation got the runaround.
The Department of Food and Agriculture put its ear to the ground.
The California Conservation Corps couldn't save a dime.
The Seismic Safety Commission was shaken.
The Coastal Commission was inundated.
The Department of Mental Health went berserk.
The Department of Corrections was in error.
The Department of Forestry was tied in knots.
The Department of Health was at loose ends.
The Department of Education was riled.
The State Bar went belly up.
The Military Department was generally guarded.
The Public Utilities Commission was aghast.
The Athletic Commission had to be scratched.



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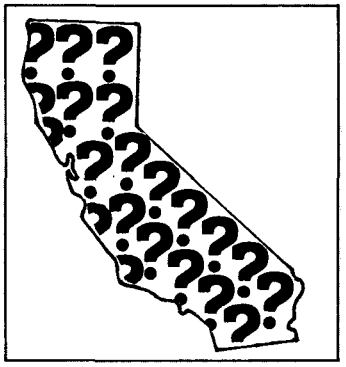
Personal
PERSPECTIVE
By Ed Salzman

The quagmire election

Suppose you are one of the hundreds of Californians who would like to run for legislative office next year. How do you find out the boundaries of your Senate, Assembly and Congressional districts? You can't. When will you be able to obtain this basic information? Who knows? What will be the election calendar for 1982? Again, who knows?

In other words, the California elections of 1982 are an incredible mess. In only a couple of months, Californians are scheduled to start filing papers to run for office. But if prospective candidates try to get information from county officials or the secretary of state's office, all they can get is a bowl of mush. It appears that only early and decisive action by the state Supreme Court can establish some semblance of order.

Here is the situation: The Legislature has passed a package of redistricting bills establishing boundaries based on the 1980 census. The Republican Party doesn't like those bills because they are extremely favorable to the Democrats. So the GOP is seeking to invalidate the redistricting plans through the referendum process. Once the secretary of state certifies the referenda for the June ballot, the state no longer has lines for the 1982 elections other than those in effect for the 1980 elections. And those lines cannot be used for Congressional elections because the state now is entitled to two more seats in the House of Representatives.



Democratic leaders have asked the court to throw out the referendum effort because it would be unconstitutional to use the old districts. Most experts rate their chances of success at slim to nil. But such a suit might at least give the court a chance to get into the act at an early date and set down some guidelines.

The Legislature might come back into special session, and a new set of reapportionment bills might be enacted. This time, the Democrats would presumably place a special election calendar in the bills. The state constitution exempts special-election bills from the referendum. But could the redistricting portions of the measures be placed on the ballot?

Another possibility: The voters would go along with the Democrats in the redistricting hassle. But that would happen at the June election, and when would the primaries then take place?

Now, assume the Republicans are successful in blocking the Democratic package enacted in September. And suppose the Legislature passes new bills in a special session in January. Then suppose the court rules that these are subject to referendum. The GOP would have until April to qualify the second series of referenda for the ballot. When would those referenda appear on the ballot?

That scenario makes it clear that the election can be turned into a farce without (and perhaps even with) early action from the state Supreme Court. For good reason, the judiciary has been reluctant to enter the reapportionment arena, reserving the ultimate political action for the politicians in Sacramento. But an extraordinary situation has developed this year, and the public interest calls for extraordinary action from Chief Justice Rose Bird and her colleagues.

Let's hope that the court uses the Democratic leaders' suit or almost any other excuse to move into the reapportionment field rapidly and decisively, so that at least the rules of the 1982 election game will become known before the citizens walk into the voting booth.

ROSTRUM

Short letters from subscribers are encouraged.

Government esteem

Bryce M. Caughey's October article, "In Defense of Government," is a good example of why many of us hold government in such low esteem. All that the poor young man said was that government is complex and isn't going away.

The irrefutable fact remains that governments (whether conservative or liberal) seem to have either one or both of the following characteristics:

1. A congenital and despicable desire to meddle in things that are none of the government's business.

2. An inefficiency (not necessarily in the business sense, because that is often inapplicable) characterized all too often by lack of common sense, good sense or common decency. A couple of simple examples:

- The handling of the Medfly crisis. It was unclear whether the state proposed to eradicate the flies or have a metaphysical confab about the whole thing.
- Proposition 13, which was caused by the unbounded greed of the state in sitting on a multi-billion-dollar surplus, instead of returning it to the taxpayers who rightfully owned the money. If the legislators had had half the brains they'd been born with, they'd have refunded the money and defused the taxpayer revolt before it got off the ground.

LEONARD W. WILLIAMS, CPA
Sunnyvale

More Chet Wrays

I have known Assemblyman Chet Wray ("Chet Wray Chet," September 1981) personally and professionally for over five years. I know him to be a hard-working, effective legislator who has more than met the responsibilities entrusted to him by his constituency. A review of Assemblyman Wray's record in office will reveal the reasons why I have entrusted him with important leadership roles as chairman of both the Assembly Labor Committee and the Assembly Select Committee on Mass Transit.

Since his election in 1976, Chet has specialized in correcting the discrepancies in laws which affect transportation, employment, mobilehome residents and veterans. While these subjects may lack the excitement and glamour of emotion-packed issues such as crime, they have a great deal of im-

continued on page 441

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The real '82 opponents: Garth, Haglund and Rietz

By MICHELE WILLENS

In the end, of course, it will all come down to image. Not whether they are supply-siders or who is "hardest" on crime, but how they look and what they project.

Statewide elections in California have become outrageously expensive, media-mad escapades, and the gubernatorial contest next year could break the bank on both partisan fronts. Mike Curb, George Deukmejian and Tom Bradley will each spend millions of dollars, with most of the money going into brief appeals sandwiched between the likes of "Laverne and Shirley" and "Magnum P.I."

Thus the critical people may not be Curb, Deukmejian or Bradley but those persons assigned to "present" them to the public: Ken Rietz in Curb's case, Carl Haglund in Deukmejian's, David Garth in Bradley's. Garth and Rietz are veterans in the "sell-'em-like-soap" world; Haglund is a newcomer to political advertising.

They all say it is too early to devise the catchy slogans they hope will stick to the roofs of the voters' minds. It will be weeks or months before they haul out the cameras and create the 30- and 60-second shots of their candidates sitting atop a table, talking earnestly or strolling along the beach with wife and kid in tow.

But Garth, Rietz and Haglund will be much more than mere image makers: They are masterminding campaigns which reflect the fact that image making is more crucial to success than it ever was.

Not long ago the "paid media" types were hired when the campaign crunch came — to put onto billboards and into TV and radio spots what the candidate had been saying throughout the preceding weeks. Now, because California is so large and the candidate can't hope to reach many voters in person, the image makers' jobs start early. They constitute the essential links connecting all other aspects of the campaign. Their projected vision of the candidate virtually creates the strategy to follow.

"We believe everything is connected," says David Garth. "The strategy can't be separate from the fund raising or the press or the paid media. We make sure all the press statements have the same tone as the commercials and that everyone in every corner of the campaign is talking the same language, the same themes. Times have changed in campaigns, and gimmicks don't win them anymore."

Garth (with his right-hand man, Hank Morris), Haglund and Rietz are now devising the images they think their candidates should project. With Deukmejian, the key words are "maturity," "stability," "integrity" and "experience." These are intended not only to draw a picture of the attorney general but also, as in a game of Political Password, to point up the opposites in the case of Deukmejian's primary opponent, Curb.

Rietz has decided to meet that challenge head on. He will put Curb on the offensive about his relatively brief career in the political arena by emphasizing the advantages of *not* being a career politician. Curb will also speak often about his past success in business, "where I will return one day and have to live with decisions I make as a public servant."

On Bradley's behalf, Garth and Morris will emphasize messages of dignity, quiet strength, passion for the work of government.

Who are these media men and what can be expected from them as the campaign heats up?

Bradley: 'Quiet strength'

Is Bradley's campaign for governor being run out of an office on Fifth Avenue, in New York City? That is the feeling in the cassette-cluttered, monitor-filled Garth Agency at the corner of 58th and Fifth. From there, political campaigns are crystallized into memorable slogans and slick commercials. Most of them are for Democrats or at least for liberal-leaning candidates. (Garth spearheaded former Congressman John Anderson's presidential effort.)

Garth, at age 51, is probably the country's best-known political media man. His chief aide, Morris, is 28.

"Every year we have one campaign we fall in love with," says the stocky, cigar-smoking Garth. "This time it is Bradley's. Our guts are in this one." Part of the reason for that is personal history. Garth has done the commercials for all three successful Bradley mayoral campaigns. Since the last one, in April, his agency has been paid $10,000 a month just to stay on "hold."

Although Bradley and his California staff were understandably careful during that last election to talk of only local issues, the New York contingent was involved in long-term thinking even then. Every poll taken and ad produced was used for two purposes: to win votes and to gauge public opinion on issues which might arise statewide in 1982.

The mayoral campaign also gave Garth and Morris a chance to try out a perception of Bradley that will be seen often next year: "He doesn't make a lot of noise, but he gets the job done." That key slogan, devised mostly by Morris, evolved as a response to the shrill demeanor of Bradley's opponent, Sam Yorty. Although it is doubtful that either Curb or Deukmejian will be "shrill" opponents in the general election, the "quiet-strength" image of Bradley will be retained because Garth and Morris expect the opposition to try to paint the mayor as a do-nothing-but-cut-ribbons kind of leader.

The Garth team speaks daily by telephone either to Nelson Rising or Bill Heckman, chairman and campaign manager, respectively, of the Bradley effort. Garth and Morris also read the key California newspapers and magazines. "Due to the state of mass communications, there's no longer the need for us to be there," says Garth. "As things heat up, Hank will be spending quite a bit of time out there. We are involved with every aspect of the campaign, but we don't want to usurp the Bradley people in Los Angeles."

Other aspects of Bradley's career which Garth and Morris expect to emphasize will be his overwhelming victories in Los Angeles and the fact that the city is in relatively healthy financial shape, without tax increases. Should the crime is-

Michele Willens is a free-lance writer in Los Angeles and a regular contributor to the Journal.

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sue remain dominant, they will remind voters of Bradley's service as a policeman.

In the end, they feel, it will be the image and not the politics which will matter. They will work to portray the mayor as a cautious, hard-working leader. "Tom spends more time on government than anyone I know," says Garth. "He is in that office on Sunday morning, reading material. We just feel the more people know about him, the more they will like him."

There are some persons close to Bradley who feel Garth's influence is not good — that he tries to keep the mayor so popular and non-controversial that he might appear neutral. They were not happy, for example, when Bradley appeared in Oakland and suddenly suggested that the city keep its Raiders and that Los Angeles find a new football team of its own.

"Tom's strength has always been his credibility," says one person close to the mayor. "He's been seen as a non-political politician. I'm afraid Garth's influence is to keep him too tame, probably to offset any problem he might have of being considered too liberal."

Garth and Morris play down the potential racial issue in the campaign, saying they believe Californians would take pride in electing the country's first black governor since Reconstruction.

"I think this is the most important election in the country," says Garth, "not because Bradley would be the first black governor but because it would prove that people made a judgment based on nothing but qualification."

Although they hope to run a campaign without any reference to race, they would not be surprised if the opposition found ways of subtly reminding voters. If so, they are prepared to play hardball. "The idea in this business is to define the election in your terms," says Morris. "And certainly we'll try to do that by starting our ads as soon as possible and drawing the picture we want. But things always change as a campaign goes on, and you have to be ready to react."

As for television commercials, the Garth-Morris style is heavy on the written word: lots of facts and figures "crawled" on the screen beneath the visuals.

"We are fact-oriented and tend to just pack our ads with information," Garth explains. "They are the kinds of ads that have to be seen more than once. The first time, people can only pick up a little, but they watch for it the next time to get more. We think our ads give the campaign a sense of depth because they don't rely only on pictures and they don't underestimate the viewer."

Curb: 'Keep it real'

Mike Curb's image maker works, appropriately enough, in the heart of Hollywood, housed in a building filled with agents and producers. Ken Rietz, 40, is the owner of Palisades Communications which handles several commercial clients as well as political campaigns. Rietz goes back a long way in Republican politics, but his blue jeans and tennis sweaters are reminiscent of the early days when he helped

Newsmakers

Yet another lobbyist

Republican state Senator **John V. Briggs** of Fullerton, who delights in doing the unexpected, surprised the state's political community by announcing that he would leave the Legislature before the end of 1981 with three years left on his term. Briggs indicated that he would become a lobbyist and real estate investor. His successor will be chosen in a special election . . . Two new members were appointed to the state Fair Political Practices Commission: former GOP Assemblyman **Charles J. Conrad** of Sherman Oaks, named by Attorney General George Deukmejian to succeed the late Fred Wade of Sacramento, and Democrat **Muriel A. (Mickey) Ziffren** of Malibu, chosen by Secretary of State March Fong Eu to replace Ruth Church Gupta of San Francisco. Ziffren, novelist and political activist, is the wife of prominent attorney Paul Ziffren. Gupta resigned following her election to the State Bar board of governors.

Larry E. Naake, former associate director of the National Association of Counties, was named executive director of the County Supervisors Association of California. He succeeds **Denny Valentine,** who resigned after two years in the job to devote full time to his lobbying clients . . . **David H. Fox** resigned as state Real Estate Commissioner to conduct seminars for those in the real estate business.

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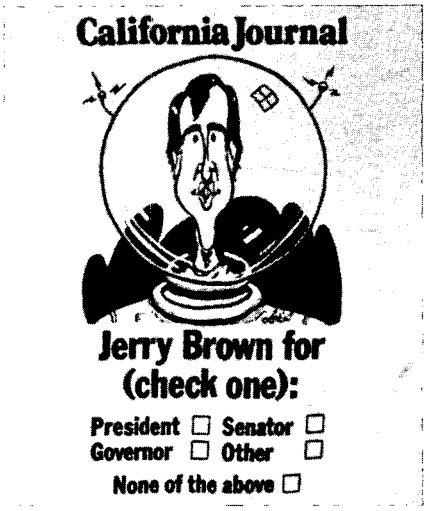

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RIETZ

GARTH

HAGLUND

to organize Youth for Nixon. Last year he was producer of the program for the Republican convention.

Rietz is more than the media man for Curb; he is the lieutenant governor's closest adviser. That was evident when Curb announced his campaign in a two-day media blitz which bordered on the bizarre. It began with a 30-minute television speech and a short, upbeat film of Curb in action, seen but not heard. The next day the candidate traveled up and down the state for a series of rallies combined with press conferences. He protected himself from tough questioning with an unusual tactic: Every time a reporter asked a pointed question, he or she was booed or hissed by the Curb supporters surrounding the press area. All the while, the cool, smiling Rietz stood near the podium, watched the candidate closely and then stepped in to end each event.

Rietz plans to spend about 60 percent of the campaign's projected $3½ million budget on paid media, with television the No. 1 priority. "One of Mike's strengths is that he is good on TV," Rietz says. "He has a lot of experience on interview and talk shows, and so we'll take advantage of that. We feel the more exposure he has, the better."

Rietz says that he is determined to keep the campaign focused on issues, although he concedes Curb erred in his personality clash with a *Los Angeles Herald-Examiner* reporter at the time of his announcement. (Curb tried to imply collusion between the reporter and Deukmejian's office.)

"Our initial thrust will be a discussion of his activities as lieutenant governor and his more than 200 days as acting governor," Rietz says. "We also are emphasizing his career as a businessman, and that it is an advantage over career politicians. We will do everything to keep the focus on issues, but the press always steers it away to personalities. The issues are crime, the mismanagement of the economy and the future of the state. We'll talk about the lack of progress in things like highway building."

Rietz feels slogans don't make campaigns but he doesn't discount them either. "When you're promoting anything," he says, "if you can come to a bottom line of what some person or product is about, that's important."

He plans to make use of all media in the Curb campaign, although TV is clearly at the top of the list. "California is a broadcast state, and a campaign can't be won without effective use of the media. It's really more a radio state because TV is so expensive, but that tube is too powerful."

Rietz's style for TV ads, unlike Garth's, relies more on the razzle-dazzle than the written word. "Our style has more of a documentary feeling to it," he says. "I don't think people have the time to read much on the screen, and I think they just find it a distraction. My philosophy is keep it real. Deukmejian's campaign announcement on TV used actors and staged events. I think Californians are too media-conscious for that. They know when someone's acting."

Deukmejian: 'Maturity'

The man who made the Deukmejian announcement film, Carl Haglund, 39, denies it was a "staged event." But he hedges on whether actors were used to portray the reporters in the "60 Minutes" format of the broadcast; he says some of the "reporters" had actually worked on newscasts in the past.

In any case, the Deukmejian TV announcement was generally regarded as superior to Curb's. While the lieutenant governor was shown sitting at a desk and talking, Deukmejian's film followed the TV-magazine segment with a live appearance of the candidate before a group of supporters. Haglund, who has never done a political campaign before, comes out of a highly successful advertising and marketing career. He works closely with Deukmejian's campaign manager, veteran strategist Bill Roberts, but he has relative freedom in creating media strategy.

Roberts plans to put about 75 percent of the campaign's budget into paid media of all kinds. Both he and Haglund agree that — because Deukmejian and Curb are close on the issues — the deciding factor will be voters' perceptions of each man.

"The questions," says Roberts, "will be what kind of men are they and who can best handle Tom Bradley." Haglund describes his approach to the political arena as "super expertise plus a childlike look at the subject." Possibly because of his fresh approach and his 20 years of experience in advertising other "products," Haglund's style may turn out to be the most interesting of the gubernatorial contest. Deukmejian himself is appearing more animated and relaxed, thanks to some coaching on techniques and format from Haglund.

The "experience" and "maturity" themes will be the dominant ones against Curb, Haglund says. If Deukmejian wins the primary and confronts Bradley, he will have to change the message. At that time, says Haglund, they will try to draw attention to the fact that statewide experience is entirely different from local leadership.

The voters of California will be heavily blitzed in 1982, to the point where they could begin to feel like Medflies under the malathion. But the odds are that they will make their final decisions based on what they see: not on the neighborhood stump but on the television screen.

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Has Curb been curbed? When will Dornan make a move?

By ED SALZMAN

The Sacramento Bee

Off and running

From the opening gun of the 1982 gubernatorial campaign, fired in November of 1978, it was apparent that candidate Mike Curb had only two major problems: a lack of experience and a somewhat hostile press corps. Curb had the stepping-stone office of lieutenant governor, the support of many major contributors to Republican causes, excellent name identification and about three years to learn how to act gubernatorial and improve his public image.

But Curb has wasted his term in office, failing to improve his political acumen and leaving himself open to attacks by opponents and the media. Now that the gubernatorial campaign is about to move into the period of heavy spending, some leading California political analysts are asking openly: Is Curb all washed up as a candidate for high office in California?

Curb assumed the post of lieutenant governor with no prior experience in public office. He was known primarily for his music-industry activities and as a wheeler-dealer within Republican inner circles. Some of Ronald Reagan's kitchen-cabinet friends viewed Curb as the likely successor to Reagan, both as president and governor. Curb's campaign for lieutenant governor took the low road against incumbent Democrat Mervyn Dymally, and some of the more powerful newspapers in the state expressed the hope in editorials that Curb would clean up his act after taking office.

The public never was given the consensus view of the state's political reporters: that Curb was an arrogant wiseacre from a sleazy industry. Some newspapers sent so-called investigative reporters into the field to study allegations that Curb had been hiding unsavory dealings in the recording industry. Some of the investigations were more personal than professional in scope. At one point, the attorney general's office conducted a probe into Curb's record-industry dealings. Although Attorney General George Deukmejian never suggested that any charges be filed against Curb, the investigation resulted in hard feelings between the two — especially as it became clear that the two were going to clash in the GOP primary for governor.

Meanwhile, Curb has not used his position as lieutenant governor to advantage. The public obviously rejected his early attempts to take over the full powers of governor while Jerry Brown was out of state. When the polls showed that an aggressive Curb was losing popularity, the lieutenant governor shifted to a low profile. His popularity improved, and he obtained some useful publicity as the stage manager for the Republican National Convention in Detroit last year.

But Curb still had not learned how to cope with the political press. He traveled around the state telling people what he thought they wanted to hear. As a result, he found himself caricatured as two-faced on the Peripheral Canal issue. His credibility, already a weak point, dropped measurably. And it appeared that the closer Deukmejian came to him in the polls, the more often Curb lost his composure.

Outburst in Palm Springs

Then came perhaps the pivotal event in the 1982 gubernatorial campaign. At the Republican central committee meeting in Palm Springs, Curb unleashed an outburst at reporter Linda Breakstone of the *Los Angeles Herald-Examiner*, charging her in effect with entering into a conspiracy with Deukmejian press secretary Tony Cimarusti to smear him. That outburst and the events that followed reinforced the growing feeling within media and GOP circles that Curb had not matured enough to serve as governor.

Deukmejian didn't have to do anything. He was suddenly ahead of Curb in the first polls taken after the outburst. Pollster Mervyn Field said Curb was lucky that the meeting was in Palm Springs and not a major media center, or else his campaign might well have been all over on October 3rd.

How much worse could it have been? In late October, White House political aide Ed Rollins backed out of a tentative agreement to take over Curb's troubled campaign. The publicity over Rollins' withdrawal gave the Curb campaign the aura of a sinking ship.

Can Curb recover? He has a difficult chore ahead, but he still has plenty of money stockpiled with which to run a full-scale television commercial blitz. He still has some powerful supporters in the party.

But now he is being forced to change strategy. Curb must spend some of his money earlier than he wanted in order to reverse the downward plunge of the roller coaster. And he must return to his successful tactics of 1978 — a personal attack on his opponent, in this case Deukmejian. That will

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be hard to accomplish. Although Deukmejian is dull, the attorney general has piled up impeccable Republican credentials through many years of service in the Legislature. Curb will have to do some heavy digging to find something with which to pull Deukmejian down.

Curb's decline has had a ripple effect in the Republican Party. Will Assembly Minority Leader Carol Hallett now be willing to run for lieutenant governor as Curb's unofficial running mate, as she planned? Indeed, will she run for lieutenant governor at all?

If Curb keeps sliding downward in the polls, might not some Republican caught in the Senate primary logjam move into the gubernatorial race? (It seems hardly likely that Mayor Pete Wilson of San Diego will do a double reverse and return to the gubernatorial contest, but one of the others might.)

Cory's waiting game

While the Curb-Deukmejian conflict was hot, the Democratic primary remained in a holding pattern — waiting for state Controller Ken Cory to announce his plans for 1982. Mayor Tom Bradley of Los Angeles was so far ahead in the early polls that it seemed a waste of money and effort for any other candidate to file against him. Pollster Field said he was puzzled by Cory's waiting game. "It is now awfully late," Field says. "January used to be okay for an announcement, but Cory can't take Bradley if he waits that long." Even if Cory decides not to run, Bradley will get at least token opposition in the primary. Mario Obledo, the Brown Administration secretary of health and welfare, might run as a unifying force for the state's Hispanic community. And state Senate Majority Leader John Garamendi of the Gold Rush town of Mokelumne Hill is definitely in the race. Garamendi, an attractive former Berkeley football star, is trying to build name identification for future races. He can run without surrendering his Senate seat.

Can lightning strike for Cory, Obledo or Garamendi? Bradley has the capacity to err. His support for the Peripheral Canal will hurt him in the north and not help much in the south. He has been anything but statesmanlike in the handling of his views over the shift of the Oakland Raiders to the Los Angeles Coliseum.

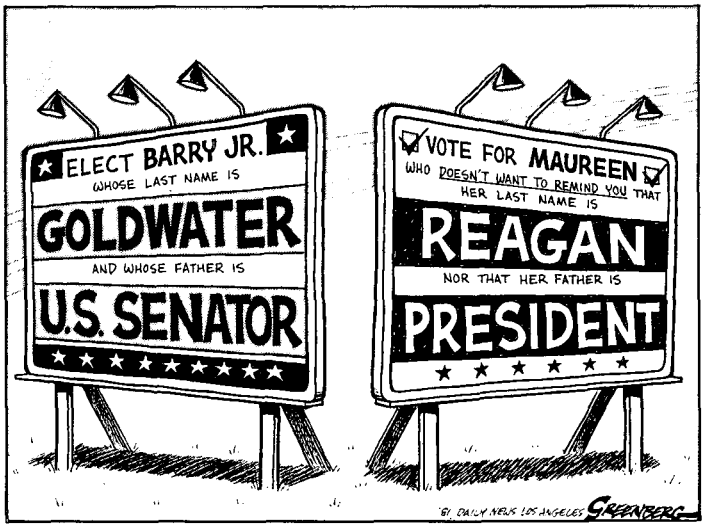
The Democratic primary is Bradley's for the keeping. All he needs to do is avoid serious errors, and he can ride to victory. He has expert campaign management from the David Garth firm (see preceding story) and has some California heavyweights in his corner. But Field thinks there is still room for Bradley to make a critical blunder and have his campaign collapse precipitously *a la* Curb's. In that case, who would be the prime beneficiary? It certainly would not be Obledo, who would be more of a symbolic than a serious candidate. It probably would not be Garamendi, who needs to spend a small fortune just to get name identification. (Garamendi and his wife, Patty, are superb campaigners and could become a factor if they could run for statewide office as they have for the Legislature.) And that's probably why Cory still hasn't decided what to do. If Bradley should blunder, Cory could be in a position to take advantage of it. He is well known in the state, has a recognized stepping-stone office, hails from Southern California and is exceptionally talented at the mechanics of campaigning. Plenty of Californians probably still remember his 1974 slogan ("the man the oil companies fear most"). This may be the year when Cory has to get "up or out," as they say in political circles. Does he run for governor against long odds, hoping against hope that he can pounce on a wounded Bradley? Does he run for a third term as controller against a stiff challenge from the likes of Jack Ford? Or does he take all the money he has raised for a possible race for governor and use it for other purposes? (The new bill restricting conversion of campaign funds to personal use does not become effective until next year.)

Casting the Senate race

Perhaps even more difficult decisions must be made by the cast of characters that has assembled to try out for leading parts in the 1982 Republican primary for the United States Senate. It is generally assumed that the incumbent, S. I. Hayakawa, is so weak that his re-election is almost impossible. Yet, there is a growing belief that Hayakawa might be able to pull through a primary with only 30 percent of the vote if the field remains large enough.

In the early going, the most active candidates have been Congressman Pete McCloskey of the San Francisco Peninsula and Mayor Pete Wilson of San Diego. Both have generally been known as party moderates, and they have been struggling to build support in the vital Los Angeles area. McCloskey blew most of his money in an October television blitz designed to give him maximum ratings in the November polls by the *Los Angeles Times* and the Field organization. McCloskey took strong pro-Arab positions and Wilson followed him into support for the sale of AWAC planes to Saudi Arabia. Over the years, McCloskey has been known as a maverick and it will be hard to erase that image overnight. Stuart Spencer, the veteran campaign manager who will probably join the Wilson camp, sizes up McCloskey this way: "There are 31 issues in the Republican primary, and Pete is wrong on 30 of them."

Wilson also has been identified as a centrist in the party, but he has been working for several years to rebuild his bridges to Ronald Reagan and the Republican right. Wilson's big fear was that McCloskey would come up with significantly improved ratings in the polls and emerge as a front-runner. Then some conservatives might jump aboard the McCloskey bandwagon in an effort to forestall a Democratic victory in November.



Wilson is politically tough, perhaps the most determined in the field. He will probably grit it out to the end, regardless of the 1981 polls. But McCloskey desperately needs a strong showing so that he can broaden his base and raise more money. If his TV blitz does not produce the desired results, he might well retreat to some other race — perhaps even another term in Congress.

The biggest question is which of several contenders will emerge as the mainline conservative favorite, a position Barry Goldwater held by name identification but which he appears to be surrendering. At some point, most political insiders expect Congressman Robert Dornan of Los Angeles to make a strong run. Dornan will employ the pro-

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ven fund-raising skills of New Right spokesman Richard Viguerie to finance his campaign. Dornan is a former actor who knows how to make use of his talents as a political dramatist.

Here is how the eight Republican hopefuls looked one year before the election:

Wilson — The mayor appeared to be making progress in raising funds and in getting known in Los Angeles. He will fight hard all the way.

McCloskey — The man they used to call "Crazy Pete" has never been popular with Republican workers. His best chance is to convince enough Republicans that he is the best GOP shot against Jerry Brown.

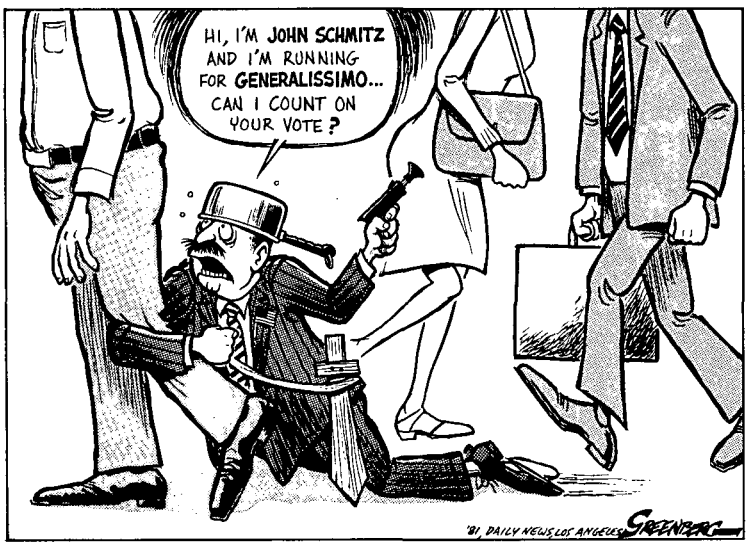
Goldwater — He started ahead of the field but has been unable to raise much money or to run a visible campaign. He has been fading, and the key question is how far his father's name (and fund-raising ability) will carry him.

Dornan — At some point, he is expected to become a major factor in the race. He can afford to sit back and let the moderates fight among themselves. But if Goldwater starts coming back, he will have to get active.

Hayakawa — Simply by virtue of incumbency, Hayakawa will get a substantial vote. He's campaigning hard and might not be any pushover. If enough candidates rise to the top, he could win the primary with 30 percent of the vote.

Maureen Reagan — The president's daughter is a total unknown. Name identification is no problem. How will the voters perceive her? She's more liberal than her father, but every bit as charming.

John Schmitz — How much support will go to the state senator who gets headlines with suggestions that a good military coup might be beneficial? Cartoonist Paul Conrad of the *Los Angeles Times* branded Schmitz as General "Coup-Coup."



Ted Bruinsma — The law dean is on an ego trip. But at least he's spending his own money to get into the game with Maureen and the big boys.

Brown's opposition

The Democratic Senate campaign was clarified significantly when former Assembly Speaker Leo T. McCarthy decided he could not raise enough money to challenge Governor Brown. McCarthy's biggest problem was that organized labor stuck with Brown. Now Brown apparently has only two significant opponents: Fresno Mayor Daniel Whitehurst and state Senator Paul Carpenter of Orange County. Neither Whitehurst nor Carpenter is exactly a household name, but both are counting on a public willingness to vote for anybody but Brown. Field says the race will be difficult to analyze until one of them emerges as the major alternative to the governor — if indeed one ever does.

Brown need not fear either Whitehurst or Carpenter as much as McCarthy. The former speaker is an establishment liberal with a strong favorable image throughout the party. Whitehurst is something of a Reagan Democrat, and he hails from a section of the state that rarely produces successful statewide candidates. Carpenter is a shrewd psychologist who has become adept at fund raising and backroom politics in Sacramento. He will pull out all the stops against Brown, but he is anathema to the liberal wing of the party.

Brown's political difficulties all came at once, and the Medfly problem covered up some other issues that might have hurt more. Now, Brown can divert the attention of the public to the state's financial crisis — and he can place most of the blame for state problems on President Reagan. By the time the June primary rolls around, issues more to Brown's liking are apt to be on the minds of the voters. In brief, Brown has started to pull himself out of the political pit of August and September — largely by appearing on radio talk shows in every corner of the state. However, he still has a long way to go in the improvement of his public image to defeat a strong Republican challenge next November.

McCarthy's pullout from the Senate race was supposed to give the former speaker a clear shot at the lieutenant governor's office. But state Senator Dan Boatwright of Concord has indicated that he will stay in the contest. On the Republican side, state Senator Marz Garcia of San Mateo County entered the race, and Carol Hallett could join him. All four of these candidates hail from north of the Tehachapis, and the entire chemistry of the race could change markedly with the entry of a southerner in each party primary.

But that's a rather minor missing piece to the 1982 political puzzle. With less than a year to the November election, the main questions are which Republicans will pull to the front of the pack in the Senate race and whether Mike Curb can find a successful new strategy to make himself look like gubernatorial merchandise.

'The New Harvest' on Journal TV show

The fourth program in the **California Journal Report** television series will be shown on 11 stations throughout the state this month. The program is entitled "Farmers and Farmworkers — The New Harvest" and is an examination of the continuing strife between the state's growers and the United Farm Workers.

Check local newspapers for times of showing on the following stations:

Eureka	KEET-13
Fresno	KMTF 18
Los Angeles	KLCS-58
Los Angeles	KCET-28
Redding	KIXE- 9
Sacramento	KXTL-40
San Bernardino	KVRC-24
San Diego	KPBS-15
San Francisco	KQED- 9
San Jose	KTEH-54
San Mateo	KCSM-60

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The long-shot field in the gubernatorial primary

By CHARLES ROBERTS

It all seemed so simple. Just win a third term as mayor of Los Angeles, pick up the Democratic gubernatorial nomination for the asking and knock off Lieutenant Governor Mike Curb in the November elections.

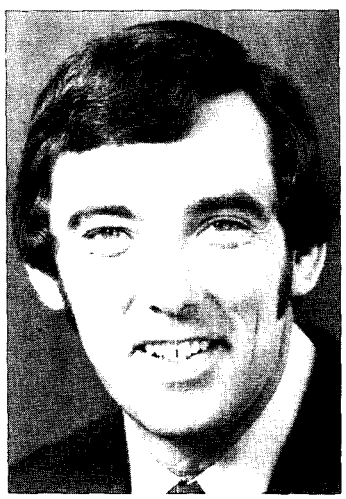
Nothing to it.

So what happened? Tom Bradley pointed his campaign up Highway 99 toward Sacramento and ran into politics quite unlike the variety practiced in the City of the Angels — politics involving agribusiness, logging, wild rivers, delta fisheries and Bay Area liberalism.

What also happened is that Curb's sure-fire campaign misfired early in a well-publicized clash with a reporter. And Attorney General George Deukmejian moved up in the polls to make it a wide-open race for the Republican nomination.

Then some politicians who were only toying with the idea of running for governor or other statewide office decided that 1982 might be a year for the unexpected to occur. State Controller Ken Cory, state Senator John Garamendi and state Health and Welfare Agency Secretary Mario Obledo all began acting like candidates.

GARAMENDI



CORY

OBLEDO

Among the four Democrats, all the ingredients for a potent candidate exist, but the qualities are split among them. Bradley is the most widely known but he's the least rousing on the stump. Cory is the most political savvy but he's also the most obviously political. Garamendi is the most charismatic but he's virtually unknown outside his farmland-foothill district in Northern California, far from the metropolitan population centers. Obledo is the most optimistic of the four men — but for the least of reasons.

Garamendi refuses to estimate an admission price to the race in terms of campaign contributions necessary for a serious contender. However, Cory and Obledo peg that figure at $1 million, and Cory is fast closing in on that sum. The lanky former Orange County legislator, who has been the state's elected bookkeeper and check-writer since 1975, is cagily avoiding a final commitment to run. Cory has reserved his options, either to run again for controller or to drop out of politics entirely to train hunting dogs and cutting horses on his ranch along the river near Sacramento.

Meanwhile, Cory has three fund-raisers gathering greenbacks around the state for whatever he decides to do. Don Muir and Jim Mulligan, who raised money for Jerry Brown in 1974 and 1978, work out of Sacramento. Rosemary Woodlock, who lost a state Senate race to former Los Angeles Police Chief Ed Davis last year, is based in Los Angeles. Cory knows that $1 million is only his entry fee into the race; much more would be needed to beat Bradley. Cory says he would need $3 million to $3.5 million for a successful primary campaign.

Although as controller Cory has been tough on the major oil companies and a public-relations problem for the banks, he can probably count on considerable support from the business community, which values his acumen and attitudes.

Aside from some quiet fund-raising, Cory is keepig a relatively low profile for someone who says he is thinking about running for the state's top office. He says he believes that any public appearances now would be a waste of time, effort and money because no one is listening yet.

Instead, Cory says, he is concerning himself with what he considers the "largest single factor" in the election futures of all politicians next year: the economy. As controller, Cory has been shrewdly positioning himself as the fiscally conservative watchdog of state finances. In an infrequent news conference, wearing a dark suit (instead of his usual western clothes), Cory warned all other elements of state government that the state would be bankrupt next spring unless they cut spending, raise revenues or both.

In response, the Legislature muttered something about its concern, eased the drain on the state treasury somewhat by letting a $250 million unsecured property-tax refund bill die and then returned in special session last month to bring California's welfare system into compliance with the strict new federal regulations, thus preventing the loss of millions from Washington. The Legislature also considered two measures to increase state revenues — accelerated collection of payroll taxes from employers and increased interest rates on unpaid state income taxes. Governor Jerry Brown also took steps to batten down the hatches on the ship of

Charles Roberts is a Capitol reporter for The Register *in Santa Ana.*

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state, telling aides to freeze spending for some projects.

Cory says his interest in the race stems in part from his belief that Bradley is not "electable," a phrase that some observers interpret to mean that Cory believes California isn't ready to elect a black as governor.

With his statewide name recognition and the elective position from which to warn of fiscal crisis, Cory would give Bradley the toughest fight of the three challengers.

1 million for Obledo?

Obledo the optimist, however, says without hesitation that he would be the one to beat Bradley if the two are on the ballot. "I'd win it, no question," he predicts flatly.

An Hispanic, Obledo expects to have the support of the Latino community, which he claims could deliver 1 million votes. "That's all the votes you need to win the primary," he says. But Obledo — a one-time Harvard law professor and Mexican-American Legal Defense and Education Fund (MALDEF) director and chief legal counsel — hastens to add that, like Bradley, he cannot afford to take the minority communities' votes for granted, nor could he expect to win the election as an ethnic candidate.

"The people of California are enlightened," he says. "I'd be naive to claim there is no prejudice . . . but it is minimal and will not be a factor in the race."

Ethnic pride clearly played a role in motivating Obledo to consider the race for governor. Members of the Hispanic community have urged Obledo to run since Frank Casado, owner of El Adobe restaurant popular with Governor Brown, first broached the matter to him.

Obledo cites several factors which he says would help his candidacy: He is the highest-ranking Hispanic in state government and has had seven years of experience as cabinet-level head of the state's largest agency ("four times larger than any other," he notes). His agency's broad-based constituency includes the elderly, minorities, handicapped and poor. He also points to his professional background (as pharmacist and lawyer) and reputation (somewhat marred by clashes with subordinates over his interference in departmental operations and personnel matters).

But Obledo obliquely identifies one of his problems: money. "Most candidates talk about spending $5 million to $6 million, but they hire high-powered image makers," he said. "I would try to get to as many people as possible and get press coverage." That's one way of admitting that fund raising is going to be a problem and that low-cost publicity methods will have to suffice. Obledo says he will decide early next year — in January or February — whether to run.

Garamendi's 'free ride'

The third challenger, Garamendi, is wasting no time in letting it be known he's in the race. He has at least one advantage over Cory and Obledo: He will still have a job in the state Senate to go back to if he loses; the other potential challengers won't. First elected to the Assembly in 1974, then to the Senate two years later and again in 1980, Garamendi has a "free ride" in 1982. But, more than anyone else who might enter the race, Garamendi needs to start early because he has name identification to build and money to raise before he can begin winning votes away from the other contenders.

"I'm not known at all in the south," Garamendi readily admits. "But I'll be building each day. We'll be behind in any poll except the one that counts — the one on election day."

Garamendi claims he has "an excellent shot at the nomination" because, he says, he can offer some solutions to the issues: economic growth of the state, quality of education, crime and its underlying causes, housing, conflicts over the environment and water.

Although he is closely associated with the water issue (he's a leading opponent of the Peripheral Canal which would knife through his delta district), Garamendi stoutly denies that either his money or campaign will depend on that subject. As a canal opponent, he faces a problem with Southern California voters whom he must convince to reject the canal and accept him.

He scrupulously avoids saying anything about other possible Democrats in the race, even by way of comparison. "I hope all of us do that," he says of the coming campaign. He also dismisses the suggestion that his campaigning might leave him vulnerable to being toppled from his leadership post as Senate majority leader.

Garamendi attained the No. 2 post this year when Democratic Senator David Roberti of Los Angeles ousted Senate President pro Tem James Mills of San Diego. Part of the reason for Roberti's takeover was the demand of Democratic senators for aggressive partisan leadership in the face of last year's Republican election gains. The new leadership is responsible for raising campaign funds for fellow democratic Senate candidates, but Garamendi insists that his spending time and money on his own campaign will not weaken his position in the caucus. "None of the senators are in for primary battles," he says. "Their major campaign will be in the fall."

"If I'm the nominee for governor in the fall — and I'd be the first senator to achieve that — I'd be of tremendous assistance to the senators in their districts. If I'm not the nominee, then the establishment of contacts throughout the state could be used to help other senators."

Garamendi is worth watching, because if he doesn't get the nomination in 1982, at age 36, he has plenty of time to try again. As a handsome former football hero at Cal, a Harvard business school graduate and an ex-Peace Corps volunteer, Garamendi has everything but name recognition going for him.

Special reference package:

An almanac and two pamphlets for $5

For a limited time, the California Journal Press is offering three resource publications on California government and politics for $5. The package includes:

- **The 1979-80 California Journal Almanac of State Government and Politics,** 184 pages of basic reference material. (A new Almanac will not be published until early in 1983.)
- **Reapportionment 1981,** the new *California Journal* pamphlet on the reapportionment plans enacted by the Legislature this year, with nine maps and descriptions of all 165 districts.
- **The 1981 California Journal Roster and Government Guide,** the 12-page booklet with the names and numbers of all the important elected and appointed officials in Sacramento — and much, much more.

If bought separately, these three items would cost $6.44. You can save $1.44 by sending $5 to the California Journal Press, 1714 Capitol Ave., Sacramento 95814. Ask for the $5 reference package.

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L.A.'s El Adobe, California's political restaurant

By DAN BLACKBURN

It was a simmering Southern California day in the summer of 1968. Hubert Humphrey was en route to KHJ-TV in Hollywood for an interview. His campaign for the presidency had been dogged by demonstrators who interrupted his speeches at stop after stop. Across the street from the television studio, in the kitchen of El Adobe Cafe, Lucy Casado was stirring her steaming pots. Although she had never met Humphrey, she long had admired his stand on civil rights, and the disruptions of his presidential campaign dismayed her. She had promised herself that she would do something, if she got the chance.

As Humphrey's limousine rolled to a stop in front of the television station, the mistress of El Adobe raced across busy Melrose Avenue to invite the Vice President to drop by for lunch after his interview. Some scoffed at the invitation but Humphrey accepted and, within the hour, he was ensconced in a booth inside what was then still a store-front diner. He sat and talked and talked — not about politics but about retarded children. Humphrey had a retarded granddaughter and Frank and Lucy Casado have a retarded son.

By the time the Vice President stepped back out through the cafe door, Melrose Avenue was packed with people and traffic was at a standstill. From that day forward, Hubert Humphrey joined the parade of those who have made El Adobe a regular oasis on their treks through Southern California. The episode also serves to illustrate the unusual chemistry which swirls around the restaurant and its owners.

If Elaine's — the posh New York City gathering spot for wealthy celebrities and powerful politicians — were stripped of its hauteur, laced with salsa and heavily injected with California informality, it might resemble El Adobe. The same might be said about the old Sans Souci and Chez Camille restaurants in Washington, D.C. But, in its way, El Adobe is unique. And, for the moment, it stands as the political dining spot in California.

The huge black-and-white photos of Governor Edmund G. Brown Jr. in the front windows of the restaurant serve as unmistakable testimony to the long and close ties between the Casados and the governor. In fact, the menu boasts a chicken-and-rice entrée called the Jerry Brown Special. The dish was given its name long before Brown became governor. In the early '70s, Brown used to hang around the restaurant's kitchen talking with Lucy Casado as she cooked.

Dan Blackburn of Los Angeles, not to be confused with Daniel J. Blackburn of Sacramento, is a reporter for NBC radio.

One day she scooped some chicken onto some rice and handed it to the young politician. He tried it, liked it and suggested more or less humorously that they name the dish the Jerry Brown Special. Nothing more was said about it but the next time El Adobe menu was printed *arroz con pollo* became the Jerry Brown Special. And it remains the governor's favorite dish.

Jerry's 'second family'

The Casados have been called Brown's second family and Lucy Casado has been described publicly as the governor's adoptive mother. It is a description that irritates the governor's real mother and a characterization which Brown chooses not to acknowledge. When asked why he is a frequent visitor to the restaurant, the governor responds, "It has a friendliness and it's relaxing. The people there are interested in politics, theater, art and music. In that sense, it's a unique restaurant." As for his relationship with the Casados, Brown says, "We're friends. They're warm and supportive. You don't often find people like Lucy who are so concerned and so interested in ideas and in the spirit."

There are those who suggest that the Casados' closeness to Brown gives them undue influence over some gubernatorial decisions. Brown's former Chief of Staff Gray Davis says such allegations overstate the case. But he adds, "They

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have Jerry's ear, which is half the battle. He hears them out — especially on matters of appointments. And people go to them knowing they can get their views relayed to the governor. But I've never felt they were influence peddlers."

Because Brown's political career and the rise in the fortunes of the El Adobe have been so closely intertwined, there is a tendency to overemphasize the Brown-Casado relationship. Their friendship is close and important both to the governor and the two restaurateurs. But El Adobe was well on its way to carving a special place in the world of California politics, show business and journalism long before Jerry Brown first walked through its doors.

Frank Casado — born in Guasti, California, and raised in the Boyle Heights section of Los Angeles — was working as a bail bondsman in 1964 when his Texas-born wife heard from relatives about a one-room, store-front restaurant in the heart of Hollywood. Lucy Casado long had been interested in the restaurant business and her husband — unhappy with the life of a bail bondsman — had a working knowledge of kitchen logistics from his days in the Navy. So they decided to take a chance. After all, the location — across the street from KHJ-TV and the Paramount Studios — was promising.

A plant for luck

It may have been an omen when television newsman Clete Roberts sent the restaurant its first potted plant the day before the doors opened, as a good-luck gesture to his friend Frank Casado. Journalists have been a regular part of El Adobe mix from the cafe's earliest days. NBC news correspondent Rick Davis says the restaurant is "like being welcomed into a big house with warm people. Plus, sometimes you get a free beer." Bill Boyarsky of the *Los Angeles Times* adds, "It's the only place I can go and always know someone. Frank and Lucy have a lot to do with it. They make it so you become a part of their family."

Frank Casado is the motivating force behind the weekly visits to the restaurant by KABC-TV reporter Wayne Satz who says, "Frank is, himself, an interesting study. I go to inspect the many facets of Frank." KNXT's Connie Chung uses El Adobe as her prime carryout restaurant since her busy schedule leaves little time for a sit-down dinner. Her KNXT colleague Bill Stout — another regular — again focuses on Frank Casado. Stout says, "I like the fact he is actively interested and concerned and angry about many social issues. Too many people aren't."

Beyond California journalists, El Adobe also is home to a legion of show-business celebrities. Henry Fonda was an early regular, and actors such as Orson Welles, Ed Asner, Robert Walden, Warren Beatty and Rod Steiger are among the frequent diners. But the base upon which the restaurant was built was rock-and-roll. Located in a neighborhood of recording studios, it wasn't long before young, struggling musicians began drifting through the cafe doors — and some of them soon were taken under the Casados' protective wings. Rock queen Linda Ronstadt long has been part of their extended family. They still talk about the night she careened into the restaurant on roller skates and nearly slammed into the table of bemused syndicated columnist Mary McGrory.

But the first of that group of then-promising talents was a young, hungry and broke songwriter named Jimmy Webb. Now one of the nation's premier tunesmiths, Webb recalls how he was taken in by the Casados and ate in the restaurant without ever being given a bill. Finally, with a couple of hit records under his belt, Webb insisted that he be allowed to pay. At that point, Frank Casado reached under the counter and handed the songwriter a two-year accumulation of dinner receipts.

The family theme is sounded by Don Henley of the Eagles who — as a group — were among El Adobe's early habitués. Henley says the Casados "always treated us like sons. Lucy would stay open late and cook something for us in the kitchen. They always took an active interest in us and kept up with what we were doing." It was the Casados who convinced the Eagles to do one of the earliest rock concerts designed to raise money for the anti-nuclear movement.

Singer/songwriter J. D. Souther calls the Casados "the world's best adoptive parents. It's amazing the degree of affection they're capable of." Souther, like Webb and Ronstadt and Henley and Jackson Browne, is a member of a group known collectively as Lucy's Babies because she gave them food for both the stomach and the spirit in those early days when they were young and poor. When Jackson Browne was arrested while demonstrating against the Diablo Canyon nuclear plant in September, it was Lucy Casado who rushed up to the jail compound to make sure he was okay.

All kinds of politicians

Today, the rock-and-rollers may be outnumbered by the politicians, but not by much. And it would be a mistake to assume the restaurant is an ideological home only to liberal Democrats. Certainly, Frank Casado does not fall into that category. As political consultant Joseph Cerrell points out, "One should not expect all minorities to be liberals. Frank's customers are a broad cross-section of America and he's concerned about those kinds of people — those who get ripped off and abused. He favors law and order and would have a tank on every corner — but it would be in the best interests of the Republic." Yet, activist Tom Hayden says the Casados "are doing pretty well at avoiding becoming part of the establishment."

Republican politicial strategist Stuart Spencer calls Frank Casado "a Mexican Toots Shor." Spencer adds, "He's very conservative. He's helped me get people involved in some campaigns for Republicans." Among them have been former GOP vice presidential candidate Robert Dole and, more recently, state Attorney General (and gubernatorial hopeful) George Deukmejian.

It is true that in recent years the restaurant has drawn a larger crowd simply because it has become known as an "in" place, a watering hole for celebrities and celebrity watchers. But, for the members of what some have termed El Adobe Club, the special atmosphere created by Frank and Lucy Casado remains the real reason for stopping by. "There's a lot of energy in this restaurant," Frank Casado says. "Look how many people have come into this restaurant over the years with nothing and have gone on to make it in the world."

Part of the atmosphere, too, are the Casados' tennis-playing son James and their irrepressible daughter Patricia. The latter says that growing up under the El Adobe canopy was not always easy. "My parents never were normal parents," she explains. "I shared them with everybody. It was real hard waiting for my father to talk to me, and I used to get real mad at that. He's given so much of what he is to everybody. I used to joke that I was going to sue Jerry Brown for alienation of affection because he took my parents away."

There's some talk that Frank Casado may run for mayor of Los Angeles. The conversation began before the last mayoral election. The outspoken Casado is not a big fan of Mayor Tom Bradley and he has played a key role in encouraging state Health and Welfare Secretary Mario Obledo to challenge Bradley for the Democratic gubernatorial nomination. The talk of a Casado mayoral race came to nothing last time and may get no further next time. Casado says, "Maybe I can do more at the restaurant just talking to people. You meet a lot of good people here."

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Why special-interest bills dominate the legislative agenda

By DAN WALTERS

The final night of the 1981 session of the California Legislature was a surrealistic portrait of representative democracy. It had been a session whose later weeks had been dominated by a fierce, partisan struggle over reapportionment, and the bitter residue permeated the atmosphere of the legislative chambers.

The reapportionment squabble had been especially fractious in the Assembly, and Republicans, the losers in the battle, had retaliated by refusing to vote for most bills requiring more than simple majority margins. That refusal had tied up the Assembly for several days and by the last night — September 15th — a backlog of legislation was choking the Assembly's agenda.

Willie Brown — who had become speaker of the Assembly with Republican votes, only to see the alliance shattered by reapportionment wars — took personal command of the podium in an effort to move some of the backed-up legislation off the floor before adjournment. Brown assumed near-dictatorial powers, gaveling Republicans into silence, cutting off their microphones and short-circuiting the time-honored procedures that allow full debate of the matters before the house.

Brown's job wasn't made any easier by his colleagues in the Senate a few yards away. Senators of both parties were mad that the Assembly's partisan row had interrupted the flow of Senate-authored bills, and they had imposed a sort of counter-boycott of their own. As the clock ticked toward midnight, it became apparent that dozens of bills would die. There simply wasn't enough time to do everything that everyone wanted done.

One of the bills that the clock threatened to extinguish was AB 893, which had emerged as the single most controversial piece of legislation to be considered by the 1981 session. AB 893 would create a five-member state commission, chaired by state Treasurer Jesse Unruh, and empower it to override local planning and zoning laws and approve construction of up to five "new cities" in the state.

The bill had generated little interest in the Assembly after its introduction and moved through the Lower House with a minimum of debate. It had seemed to be only one of dozens of bills introduced that purported to do something about the state's chronic lack of housing. It was an experimental approach to red tape-cutting, recommended by a blue-ribbon housing commission appointed by Governor Jerry Brown.

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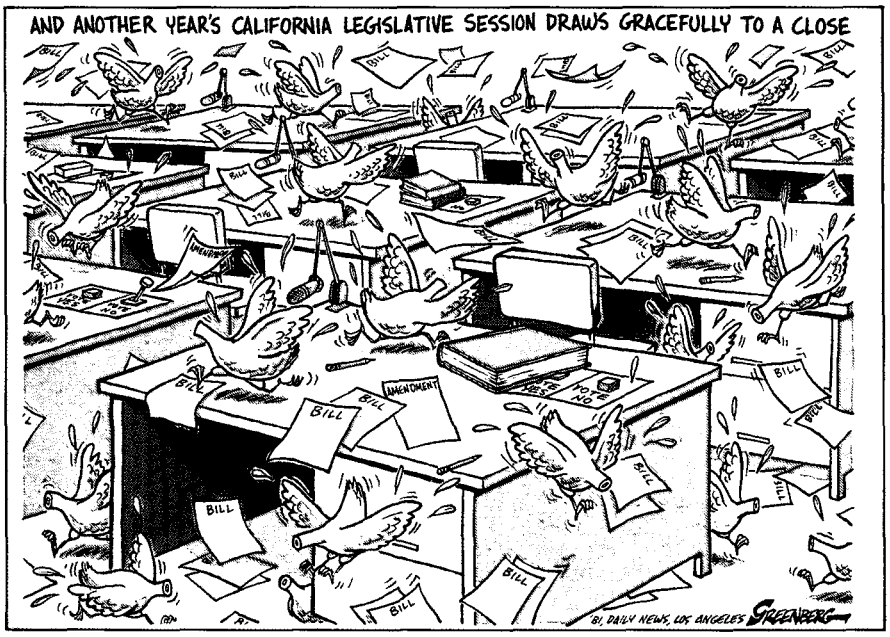
But the legislation took on new meaning when it was revealed that the chief beneficiary of its provisions might be a wealthy Southern California land developer and political financier who had also chaired the governor's housing commission. He is Nathan Shapell, whose Shapell Industries had proposed a 2,231-home development on 1,862 acres near Thousand Oaks, only to see the proposal stalled by local resistance to massive new housing projects.

Shapell, it was revealed, had contributed tens of thousands of dollars to Democratic politicians from Governor Brown down, including the assemblyman who was carrying AB 893, Democratic Floor Leader Michael Roos.

AB 893 was characterized by its opponents as nothing short of a naked bid by Shapell to use his political influence and his position as head of the state housing commission to secure clearance for his own development. Shapell denied having those motives but the revelations, nevertheless, elevated AB 893 into a new category of bills that would receive intense scrutiny from politicians and press alike.


AND ANOTHER YEAR'S CALIFORNIA LEGISLATIVE SESSION DRAWS GRACEFULLY TO A CLOSE
BILL
AMENDMENT
'81, DAILY NEWS, LOS ANGELES GREENBERG

A symbol of the session

And, it soon became apparent, AB 893 was only one of a series of bills that had made their way into the Legislature this year to help developers or other business interests gain some economic advantage. (See "Legislative Ethics," *CJ*, November 1981.) Thus the bill was controversial not only because of its own circumstances but because it came to symbolize the seeming dominance of the legislative agenda by special-interest bills.

Two factors had converged to create that situation: changes of leadership in both houses that brought to power persons more interested in political wheeling and dealing than their predecessors, and an increasing legislator preoc-

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cupation with money because of soaring campaign costs and uneasiness about the effects of reapportionment (among Republicns) and a rising conservative tide (among Democrats).

A series of reports by the Fair Political Practices Commission and other watchdog groups had confirmed statistically what those in the Capitol already knew intuitively: Legislative politics had evolved into a system that demanded far more money than candidates could raise from their local sources. And the money was available in those quantities only from the wealthy special-interest forces — business groups, labor unions, etc. — that maintained presences in Sacramento. The Sacramento fund-raiser — ordinarily a reception or dinner at a posh restaurant — had replaced the local spaghetti feed as the legislator's chief source of campaign funds.

A lube job

The 1980 legislative election, fueled by a bitter battle over the Assembly speakership, had cost more than $30 million to fight, and the 1982 battles promise to be even more expensive because of reapportionment.

The Legislature returned to Sacramento last January 5th to begin work after the 1980 elections. The first Sacramento fund-raiser was held that night.

Oddly, the lobbyists who represent the special interests don't much like the new atmosphere. During the session, scarcely a day passed that their mail didn't include one "invitation" to a fund-raiser. And they soon learned that in many legislative offices the prerequisite to even securing an appointment to talk about a bill was to purchase a ticket to the legislator's dinner or reception. Privately, the lobbyists called it a "shakedown." But some who represented interests accustomed to lubricating their political goals with money saw an opportunity for larger gains.

In the Assembly, Willie Brown's ascension to the speakership as a compromise candidate meant a subtle shift in emphasis. His predecessor, Leo McCarthy, had the reputation of being something of a moralist who would make straight-up political deals but drew the line at some of the more questionable aspects of politics.

One fact illustrates the change in attitude: McCarthy had pointedly severed all ties with his former law pratice and lived on his legislative salary, supplemented by modest investments. Brown just as pointedly refused to give up his highly lucrative law practice or modify his high-flying lifestyle that cost far more than his legislative salary. And his law clients included companies and individuals with a direct interest in matters pending before the Legislature.

There was a similar shift in attitude in the Senate. James Mills had been dumped as president pro tem of the Senate by David Roberti on the specific promise to Democratic senators that Roberti would conduct a more vigorous and partisan operation. Democratic senators were worried about the gains already made by Republicans and those that could be made in the 1982 elections. There was at least an outside chance that the GOP could take control of the Senate. Roberti promised to prevent that from happening, and his leadership soon signaled special interests that they would have to start filling the Democratic coffers if they wanted to have their way in the Senate.

At least one major bill, backed by the savings and loan industry, was held up for several weeks in the Senate as a not-so-subtle message to industry executives that more tangible attention to the financial needs of the Democratic candidates was needed.

A young Democratic assemblyman, Doug Bosco, characterized the situation this way: "The problem is very clear. It costs too much to run for office and that money is only available from one place, and the type of legislation coming out is beginning to reflect that." What made Bosco's declaration, uttered in an interview several weeks after the session had ended, especially remarkable was that he had played a pivotal role in the handling of several of the more controversial bills to surface in the Capitol. One of them was the Shapell-Roos "new cities" bill.

The measure had moved out of the Senate after an especially nasty floor debate just before adjournment. "This is a dictatorship . . . in the model of Nazi Germany," the chief opponent of the measure, Republican Senator Ed Davis, thundered. Davis' suburban Los Angeles district includes the site of the proposed Shapell development. Another senator from the area, Democrat Omer Rains, said it was "an almost complete disruption of the local planning process."

Looming in the Senate chambers was former Assembly Speaker Jesse Unruh, who as state treasurer would gain enormous political power if the Shapell bill became law.

After the measure had moved through the Senate, it still faced a final vote in the Assembly before it could go to Governor Brown's desk. Roos, Unruh and others were finding the going tough because of the crunch in the final minutes of the session. Their hopes of getting some GOP votes vanished when Republican Assembly members walked out of the chambers at midnight, even though Speaker Brown had stopped the official clock at 11:50 p.m.

Pete Golis, a reporter for the *Santa Rosa Press Democrat*, asked Assemblyman Bosco, who represented the Santa Rosa area, whether he would vote for the new cities bill. Bosco assured Golis that he would not, citing the opposition in growth-sensitive Sonoma County.

Unruh capitalized upon his status as a former legislator to move onto the floor of the Assembly itself, twisting arms and making promises in an effort to secure the 41 votes the bill needed. Legislators were to say later that Unruh threatened to use his position as chairman of another commission to befoul local housing bond issues if they refused to vote for the Roos bill.

The clock was nearing its final tick of the night when Bosco — an hour after speaking to Golis — provided the 41st vote for AB 893, sending it to Governor Brown's desk. Bosco had learned the price of having a leadership position — in this case, that of Democratic caucus chairman.

At the time, Bosco justified his switch by citing a private promise from Speaker Brown that none of the new cities would be located in Sonoma County — a promise Brown could enforce by instructions to his appointee on the new state commission. In effect, the political dealing over which developments would be approved already was beginning.

Later, Bosco — having second and third thoughts about his role in passage of the bill — called upon the governor to veto it. And he was to provide Golis with the candid assessment of how the 1981 session had come to be dominated by special-interest influence.

"What troubles everyone is what is becoming the common criteria for judging bills," Bosco said in the interview. "They are being judged in terms of what particular interests are behind them or against them."

A call for reform

After a political struggle for his allegiance that rivaled the one waged in the Legislature, Governor Brown finally vetoed the new cities bill. His administration, in fact, had lobbied for passage of the bill earlier in the session, prior to the eruption of the controversy. Shapell, Unruh and other sponsors had received direct and indirect assurances that Brown would sign the bill, or at least allow it to become law without his signature.

But with virtually all of the state's major newspapers condemning it as a blatant example of special-interest influence

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in Sacramento and Brown being pressured by opponents, he finally opted for a veto. The shift in power from local governments to a politically appointed commission is "just too abrupt and too sweeping to be approved," Brown said. He reportedly had been ready to sign the bill only days earlier. His aides were working on a compromise that included a pledge from Unruh that the Shapell development would not be considered.

The veto angered Unruh. "It is not every day that a governor vetoes his own legislation," Unruh snapped, "so I suppose there's entertainment value in that. What is not so entertaining is the governor's continuing mattress-on-the-floor, church-basement approach to the obscene housing shortage in California."

Davis and other critics of the measure were jubilant. "The political aroma of this bill was too much for the governor," Davis said.

The bad taste that AB 893 left in the mouths of Bosco and some other reform-minded Democrats was reflected in more than newspaper interviews. They demanded some changes in a post-adjournment meeting with Brown, described as a "bitch session" by one participant.

"The membership is very demoralized over what we have to do to maintain any position of power," Bosco said. "And of course we're demoralized at the reaction of the press and public. We realize it is correct."

Another reformer says he's worried that Democrats will be perceived as being the party of the special interests and allow Republicans to capture the allegiance of groups — such as environmentalists — who had looked to the Democrats for political leadership.

"The Republicans are looking like the good guys," said this assemblyman, noting not only the special-interest bills such as Roos' new cities measure but another flap earlier in the year over legislation that would have wiped the left-wing Peace and Freedom Party off the ballot. That was sponsored by Democratic leaders.

The reformers were demanding some clearer ideological purpose and perhaps some symbolic change in atmosphere, such as a campaign-contribution limit. But it was unclear whether they will succeed. That won't be apparent until next year.

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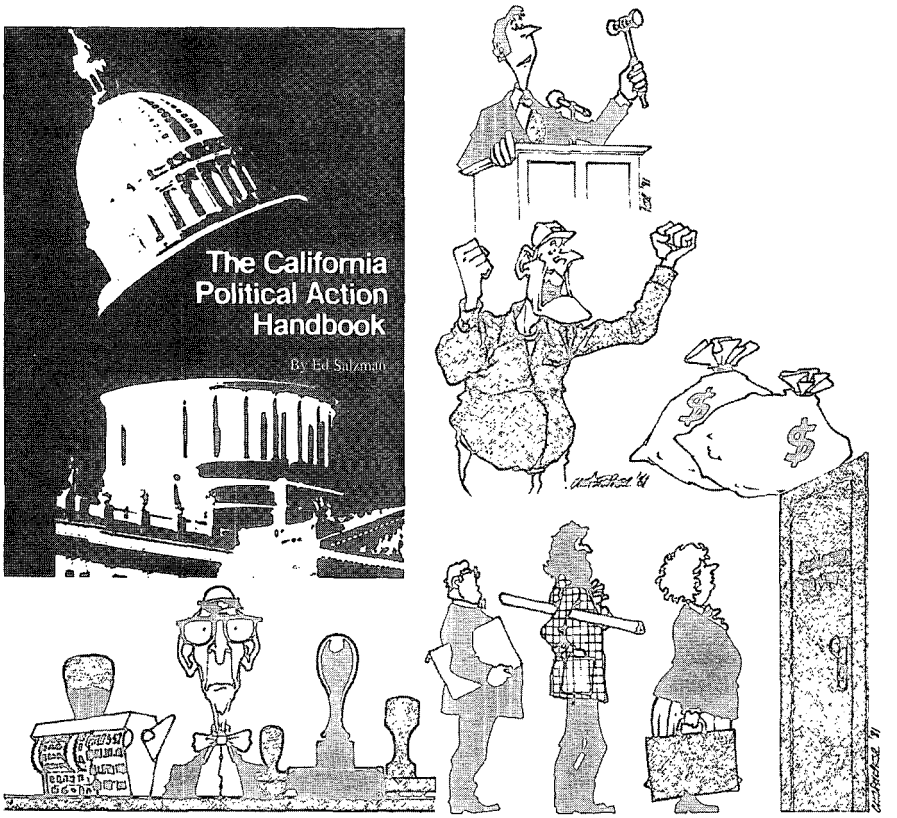

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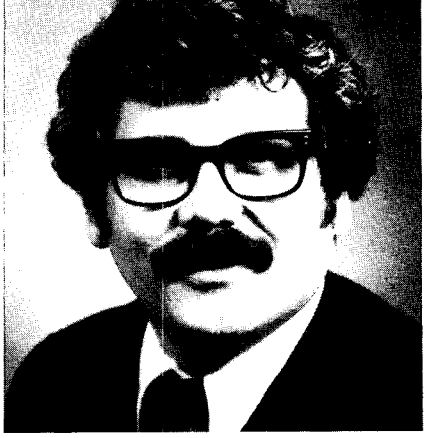

The good news and the bad news

By LOUIS N. GARCIA

For those who expect private philanthropy "to take up the slack" caused by recent state and federal budget cuts in social programs, there is good and bad news. The good news is that there are several encouraging signs that Californians are increasing their charitable giving. Early United Way campaign results show fund raising beating the annual inflation rate for only the second time since the Korean War.

Corporate philanthropy is also increasing. For example, 32 firms in the San Francisco area recently formed a Two Percent Club, signifying a commitment to give 2 percent of their pre-tax earnings to charity. Nationally, only 30 percent of all corporations contribute to charity, giving on the average 1 percent of pre-tax earnings. Federal law permits a deduction of up to 10 percent of pre-tax earnings while state law allows up to 5 percent.

As important as corporate giving is, middle-income individuals account for most of the money given to charity. About 90 percent of all charitable giving comes from individual donors. Corporate contributions amount to only 5 percent of all charitable giving.

The federal tax cut included a provision to begin allowing standard deduction users to deduct charitable contributions. This restores the tax incentive to 80 percent of all taxpayers. (Similar state legislation passed last year but was vetoed by Governor Brown.) Reduced tax rates and indexing leaves more disposable income for making donations. As people give more, they also increase volunteer time given to community efforts.

Now the bad news: Notwithstanding encouraging signs of increased private giving, the voluntary sector will never be able to replace all the funds lost by budget cuts. For example, in the federal social services alone, California will lose $68 million annually. In contrast, California's 40 United Ways raised only $130 million last year.

As new funds are raised, volunteer leaders must consider all fields of services as well as the damage leveled on existing voluntary services by a decade of double-digit inflation. Ironically, inflation forced many non-profit service providers to become dependent on government funding. The state's 1,300 United Way-supported agencies now receive more than 45 percent of their total revenue from government. Many of these agencies are receiving government cuts while experiencing dramatic increases in demands for services.

. . . the voluntary sector will never be able to replace all the funds lost by budget cuts . . .

The United Way, community foundations and corporate contributions committees have historically distributed funds based on priorities reflecting government funding patterns. Basically, voluntary dollars emphasized services not well funded by government. Now that government is withdrawing from so many fields of service simultaneously, the voluntary sector must reexamine existing priorities. This will take time and will be most successful if accomplished with the cooperation and participation of government, particularly at the grass-roots level where voluntarism is the strongest.

A resurgence of private philanthropy and voluntarism must mean more than how much money can be raised to fill the gap. Voluntarism, particularly the United Way, exists in large part to bring non-governmental community leaders together to understand and accept responsibility for local social, health and welfare needs. These leaders and their governmental counterparts must bridge the gap of misunderstanding which for too long has separated the public welfare and private voluntary systems. Unless governmental and non-governmental leaders reach a consensus about health and welfare goals and priorities, their constituents will not understand the rationale, needs and purposes behind health and welfare programs. Without such understanding, the myths, stereotypes and clichés surrounding public assistance programs will not give way to grass-roots support for private giving and public policy favoring expenditures to help those in society with genuine need. It is the credibility gap, not the giving gap, which most urgently needs filling.

In the meantime, both government and voluntary leaders must make critical and painful choices. For most people the concern about reducing the size and cost of government is irrational. The average citizen cannot distinguish between effective and ineffective social programs. For this reason, state and local government leaders must work together with voluntary sector leadership to make the most effective short-term decisions. These crucial decisions will shape the future costs, outcomes and public commitment to health and welfare programs.

Finally, voluntary activities have always existed in self-help, quality-of-life and anti-dependency services. In these areas, government must clearly establish its new priorities and levels of commitment so that the voluntary sector may plan accordingly.

However, in a rush to return to a greater spirit of voluntarism, nostalgia must not be confused with fact. Cash assistance programs for families with dependent children, the aged, blind and disabled have never been a function of voluntarism. It is doubtful that society has abandoned these commitments but, if it has, it is unrealistic to expect the voluntary sector to "reenter" an area in which it never served.

Louis N. Garcia is executive director of United Way of California.

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The Fiedler Formula: 'busing . . . children . . . Boston'

By KATHLEEN NEUMEYER

Five years ago, a San Fernando housewife named Bobbi Fiedler was just one of 25 challengers hoping to defeat one of three incumbents on the Los Angeles Board of Education. She had never run for office before, had no political experience and practically no campaign funds. Her campaign manager was in the hospital, and she drove alone to her political appearances in a slightly battered, standard-issue suburban housewife's station wagon.

On one rainy January night, Fiedler was driving to a meeting of an organization called Bustop, which she founded to fight busing in the public schools. "Wouldn't it be something," she mused, stopping at a traffic signal, "if a person could run without any money — with just the support of the people — and actually get elected?"

Fiedler was a PTA volunteer, wife and mother who got involved in politics because mandatory busing affected her children. Her chances of winning a school board seat seemed slim, to assess them generously. But win she did — and by a 56 percent margin over school board incumbent Robert Doctor.

Since then, Bobbi Fiedler has come a long way. Her children have grown up; she and her husband have divorced. She built a political machine in Southern California that has dominated the city school board in recent years, and she helped to bring an end to mandatory reassignment for purposes of desegregation. Then last year she got herself elected to the U.S. Congress, defeating 20-year incumbent James Corman and becoming California's only congresswoman.

Fiedler seems to have a knack for latching onto successful candidates and causes. She backed the recall of Board of Education member Howard Miller, which won by 58 percent, and supported Roberta Weintraub, who won by 53 percent and was elected president of the school board.

She backed Hal Bernson for the Los Angeles City Council from the north San Fernando Valley's 12th District (he won two to one), and she was a supporter of the successful re-election efforts of school board incumbent Richard Ferraro. She also was an early supporter of Proposition 13 and campaigned for the constitutional amendment to end mandatory busing in California.

But she was on the losing side in the fight over Proposition M, which she opposed, and which created the current system of electing Los Angeles school board members by district. (Fiedler won in a citywide race, and she believed that the district system would be detrimental to anti-busing efforts.) She also misread the voters when she opted to support Los Angeles City Councilman Bob Ronka in the city attorney's race against Controller Ira Reiner.

Although she is a Republican, she doesn't hew to a partisan path on issues. She is fond of telling audiences, "I am a Republican, but I am an independent person and, while I may agree with the president on many issues, you will see me moving away from him on some issues I personally feel strongly about."

She likes to boast to audiences (at least to those who she thinks would like to hear it) that she was the only member of the California delegation to the Republican convention in Detroit with the courage to speak against Ronald Reagan's stands on abortion and equal rights. Although there is no doubt that she does differ with Reagan, a fellow member of the California delegation says that if Fiedler made her pro-abortion and pro-ERA views known at the convention, she must have done so in a whisper. "She must have been pretty discreet about it," he says. "It would have been a terrible embarrassment to Reagan if one of the delegation had been outspoken about it. I don't recall anyone there being at all vocal about it."

The one-issue label

For Fiedler, the LA busing controversy boiled down to the right of parents to decide what school their children attend. While she has succeeded in politics because many parents agree with her, she also has been branded a one-issue candidate. "I had no public involvement prior the busing issue," Fiedler acknowledges. "I was thrust into the situation, and I saw a variety of avenues for accomplishing what needed to be done. I've always been a very private person. Things just evolved so that I ended up in a leader-

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ship role. In the beginning, I was scared to death."

A Santa Monica native, Fiedler attended Santa Monica public schools and studied art at Santa Monica City College. She worked briefly as a commercial artist and interior decorator, and also as an accountant. For six years she kept the books for the two drugstores she and her husband co-owned. She was active in school and synagogue affairs, and served as president of the PTA at her children's elementary school.

Early in 1976, some teachers from her son's school were transferred. When several parents complained, they were told that they might as well get used to transfers, because there were also going to be student transfers for integration purposes. "The parents reported back to the PTA, and I was appointed to chair a fact-finding committee on integration," Fiedler recalls.

When mandatory busing appeared likely, Fiedler organized a group of 10 men and five women, mostly San Fernando Valley residents, and formed an association known as Bustop. They adopted a three-pronged battle plan for defeating mandatory busing: state legislation, court challenges and election of Fiedler to the board of education. Her target was to replace Doctor, an eight-year veteran of the board and an outspoken advocate of integration.

In her campaign speeches Fiedler didn't sound like a racist, although some accused her of being one. Her arguments appealed to many parents who found it hard to stick by their liberal convictions on the need for desegregation when their own children were involved. The fact that Fiedler was Jewish didn't hurt her with the West Side, liberal Democratic contingent.

Fiedler's work with Bustop led to her appointment to a 114-person Citizens Advisory Committee on Student Integration, which was given the task of coming up with a workable integration plan. In the end, the courts rejected the plan the committee spent months developing. But Fiedler got her first taste of public speaking, and she became a visible spokesperson for the anti-busing cause. Whenever Fiedler rose to argue a point during the committee meetings, the television cameras were switched on. While many committee members were cool to Fiedler's views, she got enthusiastic support from most of the spectators each time she spoke. Part of the reason: When she addressed anti-busing rallies, she encouraged people to attend committee meetings. LA newsman Gary Franklin said of Fiedler's appeal, "You know, she could get applause if she just boiled her speeches down to three words: Busing. Children. Boston." It was a year in which parent protests and student boycotts were making headlines as Boston schools tried to implement a major desegregation plan.)

'Nothing if not pushy'

Fiedler insists that she is not opposed to integration — only to mandatory reassignment. "I am still opposed to any mandatory busing," she insists. "I say that a little mandatory busing is like being a little bit pregnant. Either you're dealing with freedom of choice or you aren't. It isn't fair for me to have freedom of choice and others not to."

Once elected to the school board, Fiedler won high marks from administrators as a hard-working member who became involved in issues other than busing. But she was one of the key sponsors of the statewide Proposition 1 on the November 1979 ballot which required state courts to adhere to federal guidelines in school desegregation cases. Indeed, her public image is so closely tied with the anti-busing movement that her congressional field office still receives phone calls accusing her of racism.

Her name is also anathema to some feminist groups, despite her pro-abortion and pro-ERA stances. "Feminists and other elected women officials look at her with arched eyebrows," says one elected Republican woman. "Most activist feminists tend to be Democrats, and they seem to be unable to separate out their issues."

Neither is Fiedler universally popular within her own party. "She got elected, and that's the testing ground in this business," one GOP colleague grudgingly concedes.

"But she's nothing if not pushy," adds a high-ranking male in the GOP hierarchy.

Another Republican, Santa Monica City Councilwoman Chris Reed, responds to that charge: "You can't be a woman in politics in this state and not be pushy. Carol Hallett and Maxine Waters are pushy too. Of course they're pushy. So are the men. Women can't afford not to be pushy. We haven't made it yet."

Republican Congressman Robert K. Dornan says that when he was a freshman, he was resented by his older colleagues in the House because he hogged the spotlight and didn't adhere to the time-honored tradition for newcomers — keeping quiet and learning from their elders. "Now other congressmen come up to me in the cloakroom and they say, 'Dornan, you were mild compared to Fiedler,' Dornan relates. "I tell them, thank you; she's doing a good job for the president. And she's taken a lot of heat off of me."

He says Fiedler is "an unusual freshman because she campaigned on the promise that she would land on her feet running, because she was taking over for an incumbent who had been in the House for a quarter of a century — and she acts, functions and moves on the House floor like she'd been there for 10 years."

Fiedler's chief aide and former campaign manager, Paul Clarke, says that no good profile of Fiedler has ever been written. "There have been a lot of articles about what she has to say, and news articles about her campaign, but never really a profile that captured her," Clarke says.

That may well be because reporters covering her find it difficult to provide balance. For whatever reason, it is nearly impossible to find anyone who is willing to say anything negative — for attribution. There are many Democrats and even fellow Republicans who are willing to criticize Fiedler — but they don't want to do it on the record.

Some say Jim Corman lost to Fiedler because, gentleman to the end, he wouldn't attack her. Even now, more than a year after his defeat, Corman refuses to comment about her. Reached at the Washington law office of Manatt, Tunney, Rothenberg and Phelps, Corman was asked to assess Fiedler's performance in the House. "Nope," he replied.

And Corman's former campaign manager, Sherman Oaks attorney Larry Silverton, says, "I yelled and screamed at the time, but it's like a court fight. It's over. I will say that I think she fought on a phantom issue, because she made busing an issue, and her personal position was more popular with people in the district than Corman's was, but neither of them could do anything about that issue in Congress. But was she unfair? I don't think so. I think she used effective advocacy."

Fiedler's upset victory over Corman and the fact that she is the only woman in California's congressional delegation give her high visibility. "It's a definite advantage, and I wouldn't trade being in Congress as a woman for being there as a man for anything," she says. "The men remember you because they get to know you. In my case, there are only four new women this year, as opposed to 70 new men, so it's easier to remember the women." She became the first freshman to sponsor an amendment to a bill; that was the amendment to delete funds from the People Mover, a $175 million pet project of LA Mayor Tom Bradley which would have installed electrically powered, elevated cars on a three-mile stretch in downtown Los Angeles. Fiedler considered the People Mover a boondoggle, and she was able to gain enough support to delete its funding. She calls the pro-

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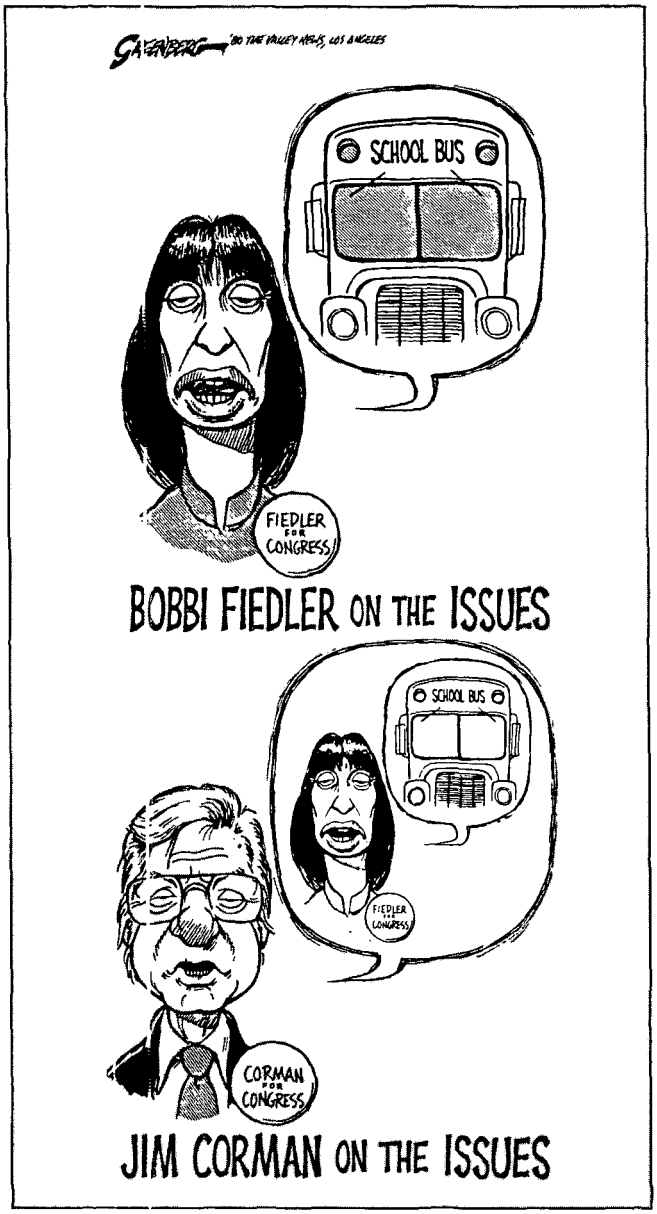

ject "a Disneyland toy and a very expensive one, I might add." In fact, she opposes any form of rapid transit for Los Angeles other than bus service.

A 'schizophrenic existence'

Fiedler describes her current lifestyle as "kind of a schizophrenic existence. In Washington — and I still don't view that as home — I have a one-bredroom apartment as close to the Capitol as I could get and afford, to keep the costs down. I sometimes catch the metro to work." Her son and daughter remain in her Northridge home, where she spends most weekends.

In Washington, Fiedler works long days, usually leaving her Washington apartment by 7 a.m. and not returning until 9:30 or 10 p.m. "Workdays in Washington are long, but there they are much quieter than in Los Angeles. From the time I get off the plane there, I'm seeing people every 15 minutes to half hour, going to events where my presence is needed for one reason or another — and that goes on usually the entire weekend."

Fiedler likes to talk about her "fantastic relationship" with the White House. "The administration has been very gracious to me from the time that I first got elected. I get White House invitations on a rather regular basis, every week, every two weeks — several times a week sometimes — for various events." She believes that President Reagan has taken a special interest in her because he was living in Los Angeles during the period that she rose to prominence on the school board. Another reason Reagan probably welcomed her election, according to Fiedler: "Jim Corman was in line for the chairmanship of Ways and Means — he would be doing everything he could to prevent the president from getting his tax plans through."

That Fiedler has close ties to the administration is apparent from the support she can get for her fund-raisers. Vice President George Bush was supposed to headline her October fund-raiser, but when he had to go to South America for the funeral of the president of Venezuela, Budget Director David Stockman was sent in his place. Fiedler got significant campaign contributions from several members of Reagan's "kitchen cabinet," and Reagan adviser Mike Deaver helped Fiedler with campaign strategy.

Her belief that Corman lost because he had lost touch with his district propels Fiedler to make exhaustive appearances throughout the district. She works a crowd well, and she often bends over backwards to establish rapport. She tells listeners that she is "a working person, like yourselves." For business audiences, she refers to her accounting experience at the drugstore. She even told a military group once that she has been "involved with the military all my life" because her parents used to entertain soldiers on weekends during World War II.

A great district

As long as Congressman Barry Goldwater Jr. remains firm in his resolve to run for the U.S. Senate, Fiedler will be in good shape when re-election rolls around.

"She really made out like a bandit," one reapportionment observer notes. "They (the Democrats) were trying to carve out a (congressional) seat for (Howard) Berman, and they wound up giving Fiedler a great district, one of the few with a majority Republican registration."

Fiedler gets a sprawling territory running all across the northern reaches of the San Fernando Valley, almost to Ojai. It covers 300 linear miles, so she will have a hard time covering it as extensively as she has been doing in her old district, but it should include many die-hard Fiedler fans. About 50 percent of her new district is part of her old one; the rest was in Goldwater's. Even if Goldwater should decide not to go for the Senate, Fiedler might be able to give him a run for his money. A year before she has to defend her seat, no opposition has surfaced.

Fellow freshman Congressman Mervyn Dymally, a Democrat, says, "Philosophically, we disagree, but in all fairness, she articulates points of view very ably. I've seen her on the floor, and whatever she does, she does well. She works hard, and she has a good staff, and she takes care of her homework."

Fiedler's well-oiled publicity machine in some ways is reminiscent of that of Governor Jerry Brown when he was secretary of state. Under the direction of Tom Quinn, who had founded Los Angeles' Radio News West, a radio audio service, Brown's press aides prepared statements and tapes for use on weekends, during slow news periods. Whenever a newsman had a spot to fill, he had a statement by Brown handy.

Now Los Angeles radio stations receive regular calls from Bobbi Fiedler. She's available to make a statement or a comment on any conceivable local, national or international issue, and it keeps her on the airwaves.

"You have to wonder what would happen if every congressman in the Los Angeles area called the stations as regularly as Fiedler does," one newsman muses. "There wouldn't be time for any other news."

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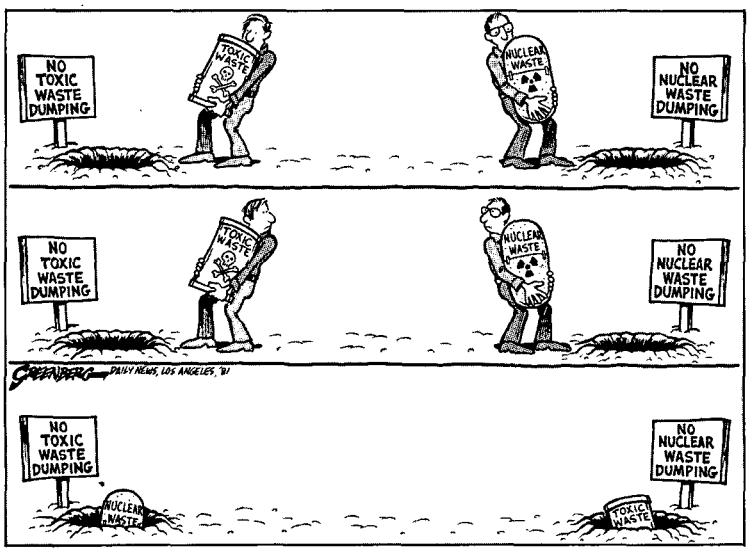
Toxic chemicals: How much does the public need to know?

By HAL RUBIN

For more than half a century, polychlorinated biphenyl (PCB) has been used commercially to insulate and to retard fires in electrical transformers as well as for other purposes. Some workers exposed to PCB developed skin ailments and other physical problems. But not until the past decade has refined testing provided evidence that PCB causes cancer. In 1976, after numerous leaks and spills had occurred, the manufacture of PCB was banned by the federal Environmental Protection Agency.



Recently the Assembly Committee on Consumer Protection and Toxic Materials held hearings on a bill requiring that utility poles still having PCB-loaded components be marked with eye-level reflective bands. Firemen supported the bill because it would help them and nearby residents to avoid PCB exposure during power line fires or other emergencies. Utility spokesmen opposed the bill, saying there already were yellow squares marking the dangerous capacitors and transformers.

The bill never got out of committee, but the debate revealed one of the thorny aspects of the toxic-chemical issue: How much does the public need to know? It's no secret that industry uses 60,000 to 70,000 chemical compounds, many of them petroleum-derived synthetics developed since World War II. About 5,000 state businesses annually generate more than 5 million tons of hazardous wastes as by-products of production. In addition, about 300 million pounds of pesticides, herbicides and fungicides are applied annually to California agricultural fields. But what does all of that mean to the public welfare?

The need to know is only one of the complex issues confronting both the industries which produce the hazardous wastes and the government which must decide how to protect the public. The Brown Administration has given toxic-waste problems high priority in recent years, and the Legislature has passed a stream of bills dealing with disposal and transportation of dangerous materials. (See box.) But these questions still await answers:

- **Do the laws guarantee greater public safety?** Not necessarily, said a state auditor general's report in October. The auditor general charged that the state Department of Health Services' four-year-old control program for toxic wastes has failed because of inefficiency and lack of enforcement. State health chief Beverlee Myers agreed with the criticism and promised that a departmental reorganization would improve enforcement. She said funding and manpower shortages were the chief problems.
- **Who is responsible for paying the costs of toxic-waste cleanup?** Should it be the businesses and industries that produce the waste or the government that requires the cleanup? In a recent out-of-court settlement of a $45 million lawsuit filed by the state, Occidental Chemical Company agreed to pump contaminated ground water from its Lathrop plant — water that contains dangerous levels of agricultural chemicals such as DBCP and EDP — and to treat the extracted water in a specially constructed plant on its premises. The state called the settlement a potential "model for the chemical industry." But the high costs of dealing with the state's total toxic-waste problems are bound to be the subject of continuing court tests. So far, state investigators have identified 93 hazardous waste sites and expect to find hundreds more. Many will be cleaned up by industry, but abandoned sites will have to be paid for by the state.
- **Do state or local governments control toxic-waste decisions?** A court test on this issue was avoided last month when West Covina voters rejected a ballot proposition that would have banned all hazardous wastes from the BKK landfill in West Covina — the last state-certified dumpsite for such waste south of the Tehachapi Mountains. The state feared that industries would dump their toxic wastes illegally if voters approved the local ban, and it promised a prompt court challenge if the proposition passed.

Cleanups and inspections

A total of 24 toxic-chemical bills was introduced in the Legislature in the past two years; 15 out of 16 passed in 1980 and three more passed this year. The two most significant laws of 1981 assign the costs of most future cleanup of dumps and spills (SB 618) and of new inspections of vehicles carrying hazardous materials (AB 1012) to the businesses involved — a policy that pleases the Brown Administration and is generally accepted by the chemical industry.

"People responsible for wastes are paying for the program — that is the principle to pursue," says Ken Finney, the governor's assistant on toxic substances.

In October Governor Brown signed a controversial executive order which effectively reversed how California handles its policy on toxic waste. In the past, the state has relied on "secure" landfill for waste disposal — that is,

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Major toxic-substance legislation and executive orders, 1980-81

1980

Occupational safety and health

SB 1874 (Nejedly) — Gives workers the right to know the hazards they face from exposure to chemicals on the job. Requires manufacturers to inform employers and requires employers to train workers on acute and chronic health risks. Adds 17 industrial hygenists to inspect workplaces; funds expanded occupational health epidemiology.

Response system

SB 183 (Nejedly) — Establishes a statewide emergency response program system for toxic spills, including a training program for local police and fire personnel.

Transportation

AB 2747 (Wray); AB 2140 (Torres); SB 1903 (Marks) — Tightens regulation of hazardous-waste transportation, including nuclear fuel shipments.

Liability

SB 1465 (Garamendi); AB 3132 (Egeland); AB 2823 (Berman) — Establishes new civil and criminal penalties for illegal hazardous-waste disposal.

Enforcement powers

AB 2703 (McCarthy); AB 2408 (Tanner); AB 2691 (Tucker); AB 2362 (Gage) — Expands state and local enforcement powers; doubles state inspection and monitoring activities to combat illegal disposal practices.

Construction bans

SB 1499 (Presley); AB 2370 (Filante) — Prevents construction on properties contaminated by hazardous wastes; provides for identification, evaluation and treatment of abandoned hazardous-waste sites.

Fees

SB 1466, SB 1477 (Garamendi) — Establishes fees for hazardous-waste dischargers.

New programs

Authorizes the Office of Appropriate Technology to investigate alternatives to land-based waste disposal and to develop new regulations for airborne carcinogens.

Coordination

By executive order, Governor Brown created the Toxic Substances Coordination Council to eliminate duplication and inconsistencies in state programs regulating toxic substances.

1981

Superfund

SB 618 (Carpenter) — Imposes industry fees to help finance cleanup of abandoned dumps and toxic spills; compensates victims of toxic exposure for medical expenses; funds research into new technology at the University of California.

Vehicle inspections

AB 1012 (McCarthy) — Establishes California Highway Patrol program of terminals and inspections for vehicles transporting hazardous materials.

Statute of limitations

SB 802 (Garamendi) — Extends statute of limitations for illegal dumping of toxic wastes from one year from date of disposal to three years from the discovery of the dumping.

Landfill phaseout

By executive order, Governor Brown directed phaseout of landfilling for six categories of toxic wastes and the substitution of alternative technologies for treatment and disposal. A new Division of Toxic Substances in the state Department of Health Services also was set up to be directed by Robert D. Stephens, former chief of the department's materials laboratory in Berkeley.

burying poisonous and dangerous chemical garbage in the established dumping sites. But landfill locations are filling rapidly, and no local agencies are volunteering to provide new dump sites. Brown's executive order begins the phaseout (in 1983) of land disposal for six highly toxic and persistent wastes, including PCBs, cyanides and toxic metals, among others. Alternative methods of disposal are mandated — but finding those methods in time to replace landfills will be costly and technically difficult.

Bob Judd, director of the Office of Appropriate Technology (OAT), had a key role in formulating the governor's new policy. "To my knowledge there never has been a 'secure' landfill," Judd says. "Some are more secure than others. California's Love Canal — the Stringfellow Quarry Class I site near Riverside — is now shut down. For three years it has been leaking acids and other pesticides. A multi-million dollar cleanup is necessary."

Under the old strategy, toxic wastes were controlled only by specifying where they had to go. Highly toxic materials were limited to Class I sites, of which there were 11 through the state. But in the past two years, four of those sites have been closed down and because of local opposition, no new Class I dumps have been added for seven years.

Producers and shippers of wastes are already required to submit a manifest (a ticket) to the Department of Health Services indicating what kind of wastes they have and what they do with them. The system works reasonably well with companies which play by the rules, but "midnight dumpers" easily ignore the manifests and there aren't enough enforcement officers to hamper their operations.

Another problem: 60 to 70 percent of the toxic wastes produced never leave the site where they are generated. Until recently, the Department of Health Services had to rely on an honor system with companies using on-site disposal. The department expects to gain on-site inspection power with its reorganization and new legislation. (One of the on-site disposals — at the Aerojet-General Corporation near Sacramento — is included in the EPA list of the most dangerous chemical waste deposits in the nation. The state is suing Aerojet for negligently polluting the water supply in the area with a variety of toxic compounds.)

What are the alternatives to landfill? OAT Director Judd says that in Holland and Scandanavia, land disposal is forbidden and advanced techniques of treatment and disposal are used. (Some of the techniques have already been adopted in New York and Louisiana.) "About 75 percent of the highly toxic wastes that now go to landfill can be better treated in other ways," Judd says. The OAT plan is to encourage construction of privately owned facilities that use chemical or biological techniques. Other alternatives include high-temperature incineration, recycling, reduction of the amount of toxics produced, and interim encapsulation and surface storage until the needed technology is developed.

Kent Stoddard, director of OAT's Toxic Waste Assessment Program, concedes that the siting of new facilities is not going to be easy. "Nobody wants to be the dumping ground for hazardous materials," he says. "It is understandable why West Covina doesn't want to become a dumping ground for all of Southern California." Stoddard favors a system of small, specialized facilities close to the generating sources — facilities that would not represent any greater danger than the plant that produces the waste. If reasonable liability provisions are added, local communities could be won over, he believes.

Bryant Fischback, who participated in the OAT study, is the chairman of the toxic substance subcommittee of the Chemical Industry Council of California. He has reservations about the feasibility of life without landfills. "There should be a trend toward alternatives to landfill," he con-

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cedes. "That's a good direction, but we (the industry) have to be careful that we are not mandated into how we make our business decisions — unless there is a clear public health or environmental problem associated with how we run our business." Fischback still sees a need for landfill sites, and he worries that the state may try to dictate which of the alternative treatment methods a company should use. In addition, the six categories of toxic materials to be banned from landfill are too inclusive, Fischback asserts.

The Chemical Manufacturers Association (CMA) considers the need for new landfill sites to be so critical that it advocates permanent state landfill-siting approval boards, with local representation, that have the authority to override local zoning regulations. Fischback prefers local control "unless local authorities are unwilling or unable to address the siting issue."

Answering public concern

Others in the industry are not convinced that alternative methods can be put on-line in time for the phasing out of six categories of highly hazardous wastes by 1983. But Stoddard of OAT feels public opinion will support alternative handling of toxic wastes and reject new dumping sites: "Polls show we are more likely to be able to site a sophisticated treatment facility before we can site a new landfill, so we feel we are on a much faster track going after better treatment facilities."

The state still has to make some basic decisions about how it will respond to public concern over possible correlations between toxic chemicals and health problems.

David Roe, regional counsel for the Environmental Defense Fund, has urged the governor to help clear up public confusion about the toxics issue. He wants the state government's theme to be, "We may not know everything, but what we know, you and the public are entitled to know." But chemical-industry officials are genuinely troubled about the prospect of having to divulge what they know to government agencies and the public. For practical reasons they are reluctant to divulge details about their products; trade secrets are jealously guarded. They also doubt that the effects of toxic chemicals, involving the technical subjects of toxicology and epidemiology, can be understood by a lay person. To reassure the public, they are investing in media campaigns that stress their companies' expertise and concern for public safety. The chemical industry also relies on the theme that everything in life involves risk; in exchange for the good things in life from modern chemistry, a statistically negligible risk is acceptable.

Reviewing the past two years and looking ahead, OAT Director Judd concedes that government is moving into ever more sensitive areas. "I don't see how any new administration can sidestep dealing with the toxics issue," he says. "What has been put in place as the first step is enormously important."

(For additional information, see "Toxic-chemical storm over California," *CJ*, December 1979.)

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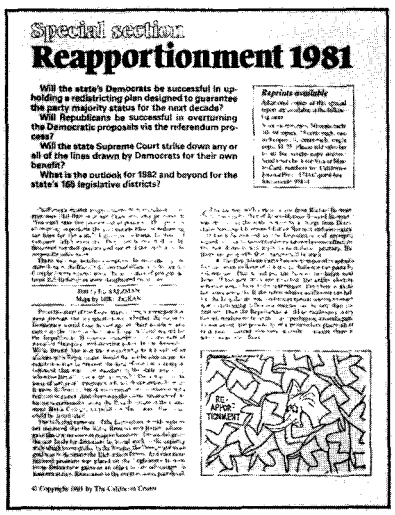
Pamphlet guides to California politics

Only the *California Journal* has published a detailed, low-cost booklet describing all 165 of the proposed legislative and congressional districts for next year's elections — complete with nine maps. This 16-page **Reapportionment 1981** special report was published in the November issue of the *Journal* but is now available as a separate item at the following prices: 50 or more copies, 50 cents each; 10-49 copies, 75 cents each; two to 9 copies, 95 cents each; single copy, $1.25.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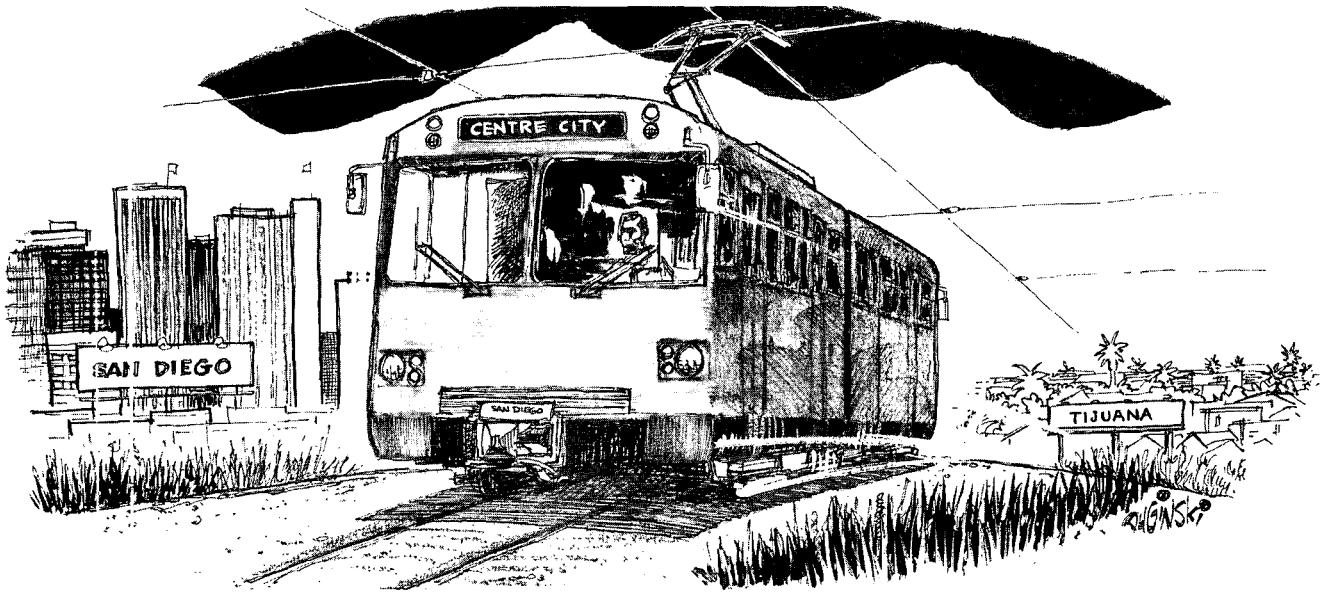
San Diego and Tijuana: California's twin cities



By LILLIEANNE CHASE

Last July, San Diego opened its $86 million electricity-powered trolley system which speeds tourists along the 16-mile course from downtown San Diego to the Mexican border. The red, German-made light-rail transit cars will shuttle about 400 passengers each trip. The Metropolitan Transit Development Board estimates that the cars will average 9,000 riders per day, increasing to 30,000 by 1995.

The speedy transit system is intended to increase tourism, revitalize downtown San Diego and generate more business for San Diego, Tijuana and communities in between. Already business development is flourishing along the transit route.

An international flavor characterized opening-day ceremonies, with both Baja California Secretary of Tourism Hector Lutteroth and Tijuana Mayor Roberto Andrade Salazar present. Their presence was not simply a gesture of international good will. Baja California Governor Roberto de la Madrid has proposed building a similar system that would link San Diego's trolley line to the shopping centers, bullfights and race track of Tijuana. In July 1980 a committee was formed to explore the proposal, but no firm schedule has yet been developed.

The San Diego trolley and its proposed Tijuana extension is another strand in the web of interdependence that has been developing between the two cities:

- In the 1960s when Tijuana sewage washed up on the beaches of Imperial County, San Diego agreed to connect Tijuana's system with its own metropolitan sewer system. What was viewed as an emergency measure soon became a frequent occurrence. Some observers anticipate that a joint sewage system will be necessary in the future.
- The two cities also share air-pollution monitoring equipment, firefighting agreements and an emergency telephone line between their police departments.
- In a few years, when Arizona begins to draw more water from the Colorado River, San Diego could face a critical water shortage. Tijuana also receives water from the Colorado River via the San Diego water system.
- Since 1964, San Diego Gas and Electric Company has supplied Tijuana with electricity on an emergency basis. Recently the company contracted to spend an average of $200 million a year over a 10-year period for a geothermal utility to be built by Mexico in Mexicali. The company also agreed to build a transmission line connecting the Baja California and San Diego electrical systems.
- The Center for International Programs at San Diego State University coordinates research projects on border dynamics in diverse areas such as economics, public health and the humanities. The center encourages its educational counterparts in Baja California to conduct parallel but separately financed and independent research projects.

The twin-plant concept

The economic interchange of the two communities is the most significant factor. Under the Border Industrialization Program (BIP) instituted by Mexico in 1965, American firms can set up labor-intensive plants in Mexico while maintaining a second, "twin" plant in the United States to handle research and administrative functions. A firm can ship components into Mexico for assembly and only pay import duties on the value of the goods shipped back into the United States. Such firms benefit from low-wage labor as well as low transportation and utility costs.

During the 1970s Tijuana gained about 100 twin plants with a work force approaching 10,000. Since the end of the

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1974-75 recession on both sides of the border, the program has been expanding rapidly. Although the majority of Tijuana plants are not part of San Diego firms, San Diego benefits indirectly from the twin-plant concept. Since Mexican border residents spend an estimated 60 percent of their income north of the border, greater employment in Tijuana means more money for San Diego business.

San Diego has always been an attractive place for Mexicans to buy their groceries, clothes and other consumer items. A study in 1979 by the Chamber of Commerce surveyed San Diego's four major shopping centers and estimated that 7.5 percent of retail sales were transacted by Mexican nationals. The figure did not include the spending by illegal Mexican immigrants. The study concluded that Mexican nationals accounted for about $500 million in the retail-sales sector of the city's economy.

Tijuana also puts dollars in the coffers of the tourist industry since it is a major San Diego attraction. Most American citizens crossing the San Ysidro border travel to Tijuana and Ensenada, with a few traveling further south into Baja California and other parts of Mexico.

While Mexicans shop in San Diego, San Diegans visit Tijuana looking for cheaper automobile repair work, less expensive medical and dental care, and visiting the area's resorts, jai alai games and racetrack.

The mutual reliance of the two cities will accelerate with the problems presented by future growth. In 1930 Tijuana had a population of 11,000; today it has nearly 1 million residents. Tijuana is still the smaller partner in this metropolitan merger, but that may change in the future. While San Diego's current growth rate is about 3 percent, Tijuana's growth rate is about 9 percent. If these rates continue, Tijuana will be the dominant partner by 1995 in a binational megalopolis with a projected urban population of 5 million. The economic imbalance between the two cities and high unemployment on the Tijuana side will present significant challenges.

Marketing the binational region as one tourist and industrial development will help to absorb the ramifications of rapid growth. Since about 40 percent of Tijuana's jobs are based on tourism, it is important that the growth of tourism keep pace with the city's population. Officials note, however, that the rate of Americans crossing the border has stabilized in recent years.

Busiest in the world

Tijuana's current redevelopment program is one effort to influence the border flow in a southerly direction. The Rio Tijuana civic center, just a few minutes from the border, is an extensive undertaking. It will include one of Mexico's largest shopping centers, restaurants, hotels and movie theaters as well as a hospital, library and state offices. The redevelopment effort also includes refurbishing some of the main tourist shopping areas.

A major factor in the future development of the region will be a second border crossing to be located at Otay Mesa, about four miles from San Ysidro. Funding for the project was included in the Reagan Administration's first budget, and it survived the budget-cutting process. The Otay Mesa crossing should reduce border congestion and also encourage commercial and industrial development on both sides of the border.

The San Diego City Council has approved new zoning for about 3,200 acres in the area of Otay Mesa for industrial development. The area adjoins an industrial area in Tijuana and should foster twin-plant development. With the Tijuana International Airport nearby, the crossing will facilitate development of an industrial shipping center.

Besides the economic exchange, there are subtle indications of a social and cultural intertwining in the region. The Chamber of Commerce study analyzed the traffic at San Ysidro, the busiest border crossing in the world. Each day an average of 60,000 Mexican nationals come to San Diego; at the same time, 30,000 U.S. citizens go to Mexico. More than two-thirds of the Mexicans questioned at the border said their destination was within 10 miles of the border. The largest percentage, almost half, come to shop, while only 19 percent come to do business.

The frequency of border crossings suggests that visiting San Diego is as simple as going next door. One-fourth of the Mexicans say they cross the border daily and 70 percent cross at least once a week. The visits typically last only a few hours. Such travel across the border also includes about 15,000 workers with immigration work permits who choose to live in Tijuana and commute to jobs in San Diego.

Attending school was the purpose of border crossings by about 9.6 percent of the Mexican nationals surveyed. Mexican students also travel to San Diego to partake of its cultural offerings, museums and the zoo. Apart from shopping trips, Mexicans also come to visit relatives and friends, enjoy the parks and beaches, and use the post offices and medical services. Mexicans also invest in and own property in San Diego.

But the flow is not all one way. The Baja California highway, almost seven years old, has created a new frontier of tourism development down the peninsula. Land trusts allow U.S. citizens to own condominiums and single-structure lots for 30 years. Many Americans buy second retirement homes along the Baja coast, and the area between Tijuana and Ensenada has many American residents.

In the future, housing, medical care, education, air pollution, water and sewer systems and transportation will all be heavily burdened by the growth on both sides of the border. The unemployment of Tijuana in particular and Mexico in general will become even more critical in the next decades. And the predicted population explosion in Mexico will accentuate the disparities between the standards of living on opposite sides of the border.

NEW IN PRINT

Choices for the Unincorporated Community: A Guide to Local Government Alternatives in California, by Alvin D. Sokolow, Priscilla Hanford, Joan Hogan and Linda Martin for the Institute of Governmental Affairs, University of California, Davis. 148 pp. Available at $10, or $9 each for five or more copies (payable to the Regents of the University of California), from the Institute, U.C. Davis, CA 95616.

A History of the California State University and Colleges, by Donald R. Garth and Judson A. Grenier, covering the first 20 years. 88 pp. Published and available from the Office of University Relations, California State University, Dominguez Hills, 1000 E. Victoria St., Carson, CA 90747.

Radiation and Human Health, by Dr. John W. Gofman. Available at $29.95, clothbound, from Sierra Club Books, 530 Bush St., San Francisco, CA 94108.

California Coastal Access Guide, prepared by the California Coastal Commission. 240 pp., with maps, photos and information on state and national parks, beaches, preserves and refuges of the coastal counties. Available at $7.95, paperback, from the University of California Press, 2223 Fulton St., Berkeley, CA 94720.

Alternatives to Vandalism: "Cooperation or Wreckreation," prepared by the California Department of Justice, with financial assistance from the federal Law Enforcement Assistance Administration and the state Office of Criminal Justice Planning. 21 pp., available free from the School Safety Center, Office of the Attorney General, 555 Capitol Mall, Suite 655, Sacramento, CA 95814.

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Legislative oversight — rising in political value

By KATHRYN MANEY

Politicians have always enjoyed taking potshots at government "bureaucrats" and "red tape" — especially on the campaign trail and especially since Proposition 13. "It's politically sexy now to be in a position of stamping out waste, fraud and abuse," says Assemblyman Walter Ingalls, chairman of the Joint Legislative Audit Committee.

That's part of the reason that Ingalls' fellow Assembly members were clamoring this year for seats on his committee — so much so that the number of seats was increased from eight to 14. And it helps to explain why legislators are taking increased interest in their duty to "oversee" the functioning of state government's executive branch.

"With our limited resources to fund new programs," says Assemblyman Richard Robinson, "we're going to have to 'de-fund' the ones that aren't working. Oversight is the only tool we have to discover which programs these are."

Ingalls states it more candidly: "Bureaucrats need watching over. They're a lot like journalists — they *know* they're smarter than the politicians making the laws. And just like journalists are no longer content to merely report the news, but must make the news from time to time, bureaucrats are no longer content to carry out the laws the Legislature passes, but now want to add their own interpretations — and in not so subtle ways. We must constantly monitor the spending of our monies and the carrying out of legislative mandates."

Often oversight has gotten lost in the lawmaking shuffle. "No member is content with the amount of time spent on oversight, but they have a definite time constraint," says Legislative Analyst William Hamm. "There are only 24 hours in a day and if they spend more time on oversight, they have less for their other duties." Also, oversight has received less attention in the past because the necessary hearings have not had much political payoff in terms of media exposure compared to the attention given to new legislation.

But the state's budget problems may be changing that, according to consultant Richard Brandsma, former director of the Assembly Office of Research. "As the public and the Legislature become increasingly concerned with fiscal matters," he predicts, "the political value (of oversight) will go up."

The investigatory arm

The joint audit committee does not itself conduct investigations; it refers requests to the Legislature's investigatory arm — the auditor general. Created in 1955, the office of auditor general is charged with both financial and management-review audits as well as investigations of alleged fraud or waste reported through telephone "hot lines."

"Because of our position in the political arena, we have to operate totally independently," says Auditor General Thomas Hayes. "We can't allow the Legislature to influence the outcome of our investigations at all. If they tried, I'd leave." Legislation was passed in 1979 making the appointment or removal of the auditor dependent on approval by both houses of the Legislature. In the past, a majority vote of the JLAC could fire him.

Modeled on the General Accounting Office (GAO), which performs similar functions on a national level, the auditor general's staff of 115 is divided into three divisions:

- **Performance audit** is responsible for reviewing state-funded programs to determine if they are efficient, economical and adequately performing their mandated functions. The largest division (50 staff members), its investigations are requested by legislators and approved by the JLAC. The resulting recommendations are not binding but are now generally accepted by the agencies involved. Compliance with recommendations was more than 80 percent last year, according to Hayes, who estimates this division alone saved the taxpayers $50 million over the past calendar year.
- **Financial audit** ensures compliance with federal fiscal guidelines so that the state can receive $275 million in revenue-sharing funds annually. Due to recent changes in the Standard and Poor's and Moody's bond-rating process, this division will perform fiscal audits annually instead of every three years.
- **Investigative audit** checks allegations of fraud, waste and abuse reported by state employees or private citizens through a toll-free hot line number. More than 1,400 contacts were received last year, of which 963 were referred to a more appropriate agency or did not warrant investiga-

Kathryn Maney wrote "Crisis Among the Mentally Ill." CJ, July 1981.

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tion. The rest — ranging from misuse of state automobiles to theft and abuse of state funds — were investigated.

Reviewing the budget

Legislative oversight also occurs in the budget-review process, through hearings before both houses' fiscal committees. The bulk of budget review actually is done by the legislative analyst's office, serving under the Joint Legislative Budget Committee. Created in 1941, the analyst office's chief job is reviewing the governor's budget and making recommendations for greater fiscal effectiveness. The exhaustive annual analysis, published in a thick volume, reviews programs on a selective basis to determine if they are operating in accordance with stated legislative

The analyst also prepares about 25 in-depth studies annually for the Legislature on specific programs. Unlike the auditor general, the analyst may respond directly to legislators' requests. The analyst or one of his 65 staff members often provides information and analyses during committee hearings.

The office gained a great deal of credibility during the tenure of A. Alan Post, legislative analyst from 1949 to 1977. The present analyst, William Hamm, says his office and that of the auditor general perform parallel functions but in different ways: "Both offices are trying to help the Legislature allocate monies effectively and oversee expenditure of public funds to ensure accountability." Auditor General Hayes adds, "The legislative analyst performs budget review before the fact. We go after what has already happened, not what will."

But everyone involved concedes that legislative oversight involves considerable duplication and overlap — not only within the Legislature, but between the Legislature and the executive branch. For example, the Assembly Ways and Means and Senate Finance committees' staffs prepare written analyses of fiscal bills, duplicating much of the legislative analyst's work. The Assembly Office of Research also gets into the act: "We do oversight to the extent that oversight relates to policy questions," said AOR Director Steve Thompson. "We must look at policy in a multi-disciplinary manner — at its objectives, the monies spent, the way it's organized and administered."

In the executive branch oversight is performed by a number of divisions, ranging from the newly formed Office of Administrative Law to the controller's office and the Department of Finance. Chief of Financial and Performance Accountability at Finance, Richard Cutting, says, "We may be looking at the same programs in some cases, but the major difference is who we report to. The auditor general does audits at the request of the Legislature. Our direction comes from the administration."

"I think there is a need to try to make better use of oversight," says Brandsma, who is working on reviewing the oversight structure for the Assembly. "There's a need to integrate better. Part of the answer may have to relate to the Legislature establishing priorities for audit and review."

Which leads to an interesting question: Who decides whether oversight operations are themselves cost-effective? Does the process need some oversight of its own?

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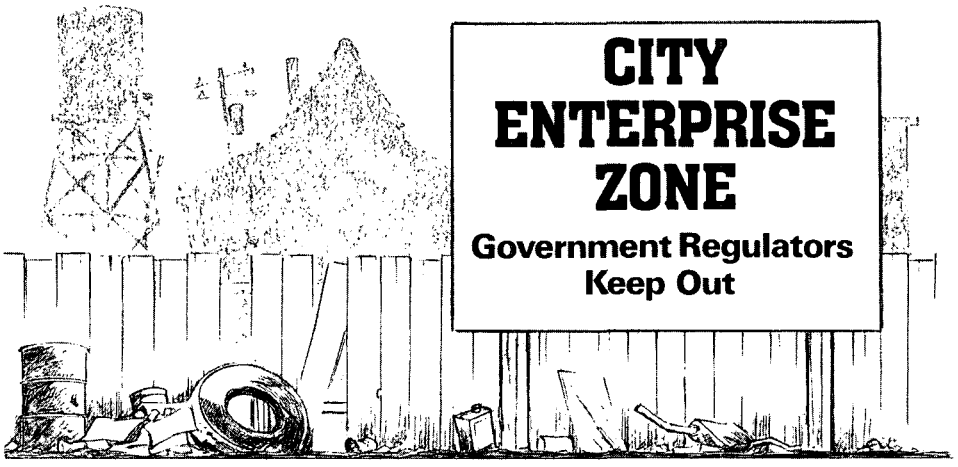
The free-enterprise plan to revitalize depressed cities



By KEVIN COYLE

With Ronald Reagan in the White House and the "trickle-down" theory of economics in vogue, it should be no surprise that two California Republican assemblymen have proposed plans to save depressed areas, especially in the inner cities, with *laissez-faire* capitalism.

Their proposals would create "enterprise zones" in the neediest areas of major cities and rural regions and then suspend a wide variety of existing laws in those zones. The goal: to attract business and industry to such areas, thus providing new jobs for the unemployed, new construction for vandalized ghettoes and new prosperity for cities struggling with post-Proposition 13 budgets.

The two assemblymen are Patrick Nolan of Glendale and William Leonard of Redlands. Their trial-balloon bills — AB 416 (Nolan) and AB 1347 (Leonard) differ slightly in approach but reflect the same philosophy: Get government off the back of business and let free enterprise solve the problems of blight, crime, welfare and unemployment.

Even though neither bill got out of committee last session, the sponsors think the political climate for such an idea is improving. In Great Britain, 11 enterprise zones have been approved since 1977; eight are currently operating, with mixed results. Similar plans have been offered in Washington, where major changes in minimum-wage laws would have to occur. At the state level, businesses would be enticed into enterprise zones with elimination or reduction of regulations on health, safety, environmental impact and pollution. From local government, such businesses would expect a waiving of zoning and building codes and an easing of permit processes.

Such proposals raise a host of public-policy questions: Can the private sector alone solve the problems of depressed areas? Would relaxed governmental controls sufficiently encourage the private sector to rebuild the inner cities? Would the relaxation of those controls pose a threat to the health, safety and welfare of the citizens of California?

Assemblyman Nolan is confident that business could succeed where government programs have failed. "The whole concept of this is that unfettered business will make the best decisions for prosperity and therefore bring more capital into the area," Nolan says. "One of the reasons cities are decaying is not a lack of attention from the government, but an over-attention from the government, a government so involved in their processes — so refined as to zoning, building and safety codes, density requirements, restrictions on financing mechanisms — that the government has essentially strangled the inner city."

By removing virtually all state and local government regulations, Nolan believes the enterprise zones would be attractive to industry. "There won't just be re-location; there will be generation of business," he predicts. "A business that could be set up and prosperous in an enterprise zone couldn't be prosperous even in the most lenient of cities without an enterprise zone, simply because of all the layers of regulation. It's not business that (the bill) is aimed at benefiting. Business is the vehicle by which we hope to benefit the whole public — by the jobs which come with that and the generation of capital which is spent there. I don't view this as pro-business; I view it as pro-free enterprise."

While Nolan is interested in encouraging the private sector in general, Leonard is focusing on small business and the individual entrepreneur. He wants to help small entrepreneurs by reducing commercial utility rates within the enterprise zones. Leonard says that small businesses pay substantially higher gas, electricity and telephone rates than larger businesses or residential customers. His bill would instruct the Public Utilities Commission to eliminate that inequity within the enterprise zones.

Would zones work?

In hearings last session before the Assembly Economic Development Committee, several witnesses questioned whether the zones would work. Berkeley City Councilman James Sweeney said that the concept was a "solid one," but that enterprise zones are "not compelling enough" in

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themselves to provide incentive for small businesses.

San Diego Mayor Pete Wilson agreed. "It's certainly true that various forms of over-regulation, if eliminated, will be a significant incentive," Wilson told the committee. "Whether they will be sufficient to produce a really significant response, I question."

"My sense," said Dean Misczynski of the Governor's Office of Planning and Research, "is that the problems of economic development in Watts or Compton or Oakland are very severe, and that it is going to take all the existing programs and the enterprise zones and probably more than that to really make a dent."

When asked by Assemblyman Leonard to name the worst obstacle for small businesses in California, Bill Prouty, executive director of the United Federation of Small Business, identified "the uncertainty in the economy, and whether or not high inflation and high interest rates are going to continue." Clearly, an enterprise-zone plan would not solve those problems.

"Let's not throw the baby out with the bathwater," says Melinda Luedtke, director of the state Department of Economic and Business Development. "Certainly, we are all looking for the elimination of unnecessary regulation. And we are looking for ways of streamlining regulations that are necessary. I am not sure that it is in the best interest of the workers, or the business, to do away with all regulation."

Luedtke argues that the essence of economic development is a good business climate. "In general," she says, "business goes to a certain place because there is a market there. One of the reasons that California is still one of the most attractive places for business to locate is because it is the best market in the world. We have firms moving in every day. One in four manufacturing jobs created in the country in 1979 were created in California. The responsible businesses that are interested in locating don't ask for all regulations to be done away with."

But Nolan questions whether government regulations have served any useful purpose. "All the pollution control devices in the world haven't stopped pollution," he says. "They've added tremendously to the cost of production."

Similarly, Leonard argues that building codes and safety regulations are not needed because businessmen can't afford to let accidents occur for which they will be sued. "I'd rather go on a basis of strict liability," he says. "You pay for the damage that you cause, and so much so that it would be cost-effective for you to pay ahead — in terms of safety and equipment, in terms of adequate training, in terms of safe buildings and working environment — rather than pay after the fact on a disaster."

Director Luedtke disagrees, saying that public safety must be a government concern. "There have been some well-publicized fires that have occurred in Las Vegas," Luedtke says "with considerable loss of life, because fire codes weren't either strict enough or adhered to."

Enterprise-zone advocates, such as San Diego City Councilman Fred Schnaubelt, think that health and safety standards could be handled by private insurance companies. "Insurance companies will measure the risk of a particular enterprise and they will set a premium accordingly," says Schnaubelt. "The inspectors that work for the insurance company will make informed judgments because they have money at stake, whereas in a bureaucracy nobody is accountable."

In Great Britain, firms within the enterprise zones get generous perks: no development land tax, less bureaucracy, fewer planning regulations. However, property values have soared within the zone boundaries while those outside several of them have fallen sharply. Some businesses have simply moved from old locations to new zone sites, thereby shifting but not reducing the unemployment problem. Critics warn that the enterprise zones are creating a patchwork of small Hong Kongs — centers of uncontrolled capitalism at the expense of workers.

The minimum-wage issue

As expected, organized labor has raised its voice against deregulation in enterprise zones, particularly opposing proposals to suspend labor laws like the minimum wage. Nolan counters that the minimum wage is one cause of unemployment.

"It's the people who already have jobs that are fighting to keep the minimum wage," Nolan says, "because the net effect of the minimum wage is to exclude people from the job market. People whose skills don't make them worth more than $3.25 don't get jobs at $3.25 or $3.50 an hour, so they're just unemployed."

But the labor market is not like the market for new cars or television sets, argues Charles Jeszeck, research director for the California Labor Federation. Jeszeck sees the enterprise-zone proposal as part of a larger trend, in which states and cities are competing among themselves to lure new businesses with tax breaks and deregulation. The offer of nearly total deregulation of business in enterprise zones raises the stakes in that competition; businesses would be able to demand more and more concessions from workers and local governments, threatening to move to greener pastures if their demands are not met.

If the proponents of deregulation in depressed areas ever generate enough political support to enact enterprise-zone legislation, its details would arouse more controversy. Assemblyman Leonard wants the zones created in mixed residentail/business communities in which there are small parcels of available land. Others say the experiment should be reserved for the very worst urban ghettoes which have been virtually abandoned by both business and residents. Some advocates say the worst areas are beyond hope, and that the zones should only be tried where there are enough existing resources for the experiment to work.

If the federal government should also create enterprise zones, there would probably be an effort to draw California's zones to match the boundaries drawn in Washington. That would allow for the incentives from both state and federal governments to be concentrated to maximum advantage. Some advocates of enterprise zones think new tax incentives should also be added to the lure of deregulation, by targeting capital-gains tax breaks for those who provide capital to the inner cities.

But even the pro-zone leaders concede that problems could arise. Leonard admits that the experiment would have to be monitored closely. If, instead of attracting new business, the enterprise zones only succeed in sucking business away from self-sustaining areas, "that would be a ripoff," Leonard says.

The state Employment Development Department also warns of "runaway shops" leaving existing sites to take advantages of enterprise-zone benefits. EDD officials have suggested that the experiment be watched to determine the extent to which welfare applicants and recipients obtain work as a result of the zones. They also question whether enterprise zones promote labor-intensive rather than capital-intensive industries and whether the benefits will flow to job-producing firms or to real-estate speculators.

Leonard responds, "If a few individuals get wealthier because the property goes up, and at the same time there are a hundred or a thousand permanent jobs created, then we can weigh those things. We've spent so much on CETA and other government programs that there is a good standard to go by on how much we've spent and how little we've done."

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1981 LEGISLATIVE SUMMARY

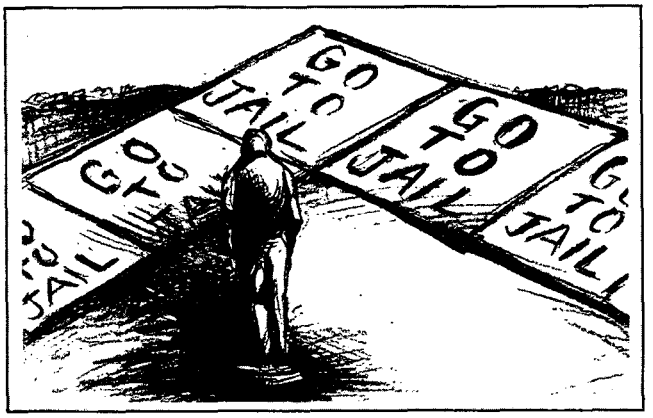
Only 30 bills vetoed; emphasis on anti-crime measures

The crime dam finally burst in the Legislature this year. Lawmakers of every ideological stripe jumped aboard the anti-crime bandwagon, and the result was an end to the decades-long blockade of measures in the Assembly Criminal Justice Committee. Proposals increasing penalties for crimes and providing mandatory jail sentences paraded out of the committee and eventually to the desk of Governor Brown.

The governor was in a bill-signing mood this year. At a time when he was seeking all the help he could muster for his campaign for the United States senate, Brown chose not to anger many lawmakers by killing their bills. When the tabulations were completed, it turned out that Brown had vetoed only 30 measures. Some 1,186 became law, either signed by Brown or allowed to be chaptered without his signature. Here is how the 30 vetoes compare with previous years of the Brown Administration:

1975 — 148	1978 — 84
1976 — 184	1979 — 60
1977 — 124	1980 — 66

In a year when legislators faced the fiscal hardships of Proposition 13 and had to reapportion Assembly, Senate and Congressional districts, the most controversial bill turned out to be one concerning land development. In an effort to circumvent local land-use regulations and be able to build "new cities," land development interests led by builder Nathan Shapell of Beverly Hills attempted to win passage of a measure that would allow developers to build five communities selected by a special state commission. Shapell is the chairman of the state's Little Hoover Commission and a major donor to Democratic campaigns. The



pressure on Governor Brown was enormous, but he eventually vetoed the bill. (See article elsewhere in this issue for details of the "new cities" controversy.)

Brown used the state's budgetary crisis as the reason for killing a variety of bills. But he signed a large number of measures that, in effect, gave pay raises to appointive and elective officials in local government.

One of the reaons why Brown vetoed relatively few bills is that most of the measures enacted by the Legislature were not especially controversial. The fiscal situation kept the lid on measures that would cost money. Reapportionment kept many legislators busy on matters political. And the most important legislative area of 1981 — the fight against crime — became a motherhood issue, even for those at the left end of the political spectrum.

VETOED

Here are some of the 30 bills vetoed by Governor Brown this year with the reasons he gave for refusing to sign them into law:

Tax. *SB 146 (Ellis)* — Eliminates the sales tax for small containers of water.

This bill would reduce revenue at a time when the state is facing a significant shortage of funds. In order to balance the state's budget, I intend to take all necessary fiscal steps to keep our books in balance.

Transportation. *AB 640 (Young)* — Requires the California Transportation Commission to conduct a $75,000 study of state transportation needs.

Past experience has shown that extremely long-range transportation plans, as proposed in this bill, are costly and have limited usefulness. The annually updated five-year state transportation improvement program, coupled with additional project development work authorized by the California Transportation Commission, provide a sufficient list of transportation projects for the foreseeable future.

Work week. *AB 648 (Moorhead)* — Allows health-facility employees to work three 12-hour days a week.

Skill shortages in health care professions and the trend toward flexible hours do not justify legislation that would exempt all workers, licensed or not, skilled and semi-skilled, from the daily overtime standards of the Industrial Welfare Commission . . .

Education. *SB 266 (Watson)* — Requires psychiatric technicians to take 45 hours of education every three years.

I do not believe that mandatory continuing education will necessarily assure quality medical care. Given its questionable benefits and the financial burdens which will be imposed on those who must take the courses, there is reason to question whether mandatory continuing education represents sound public policy.

Tahoe. *AB 2022 (N. Waters)* — Authorizes the city of South Lake Tahoe to complete construction of a new loop road.

This bill would violate the spirit of the recently ratified Tahoe Regional Planning Compact. The compact provides that new highways shall not be contructed in the Tahoe Basin until the Tahoe Regional Planning Agency has developed a new regional plan which considers environmental thresholds and carrying capacities. Completion of the Loop Road would preclude the Tahoe Regional Planning Agency from determining the best solution to the transportation and air quality problems in the Stateline area of Lake Tahoe.

Farm labor. *SB 40 (Vuich)* — Restricts farm labor unions, under certain circumstances, from disciplining or expelling its members.

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. . . Because I believe that there has been no evidence indicating a need to amend the Agricultural Labor Relations Act at this time, and the proposed amendment will eliminate rights presently guaranteed to farmworkers, I cannot approve Senate Bill No. 40.

Medi-Cal. *AB 653 (Torres)* — Creates a nine-member commission to develop alternatives to the Medi-Cal program.

I support the intent of this legislation to encourage more cost-effective ways of delivering Medi-Cal services. However, the bill places broad authority to accomplish this goal in the hands of a provider-dominated commission with extraordinary powers to propose sweeping changes in the Medi-Cal program. The inherent conflict of interest in this arrangement will seriously cloud the actions of this body. The bill will also result in substantial one-time costs for pilot projects at a time when the state is facing a significant shortage of funds.

Furthermore, there is no guarantee that the pilot projects funded through this commission will produce savings to the taxpayers of the state nor any assurance that the projects will provide access to health care for those most in need. I am aware that the author of this bill has similar legislation awaiting final passage that may alleviate some of my concerns. I will continue to work with the author of this legislation to achieve our common objective of reducing the excessive growth of the Medi-Cal program through the development of alternatives to the current "fee-for-service" system.

Information. *AB 909 (Goggin)* — Requires that specific law-enforcement records be open to the public.

I recognize the need for legislation to clarify what records law enforcement agencies should make public. However, this bill is overly broad and may force the disclosure of confidential information, deter citizens from fully cooperating with law enforcement officials and cause needless additional emotional trauma for victims. I call upon the press and the law enforcement leaders to work together next year on mutually acceptable legislation that serves both the public safety and right to know.

Sagebrush. *AB 694 (Herger)* — Establishes rules for revenues from lands obtained by the state Lands Commission from the federal Bureau of Land Management. (This is a so-called Sagebrush Rebellion bill.)

Several state agencies are currently conducting a study of the legal and economic issues involved with the state assuming ownership and management of Federal Bureau of Land Management lands. Legislation on this issue should be deferred until the results of this study have been received. Further, this measure would be costly, whether or not the state assumed title to all the Bureau of Land Management land in California. Our current financial status prohibits initiating a new program such as this one.

Claims. *SB 686 (Keene)* — Penalizes state agencies which do not pay claims owed to small businesses within 30 days.

Although I am sympathetic to the cash flow problems experienced by small business and believe state agencies should pay their bills in a timely fashion, the state's current fiscal situation does not permit the enactment of a measure which could have an annual General Fund cost of $30 million. I have asked my staff to work with my Small Business Advisory Council and other concerned parties to draft legislation which will address the problem without the high cost associated with this bill.

Billboards. *SB 1075 (Ellis)* — Exempts certain types of advertising from billboard restrictions.

This bill will exempt an important segment of the outdoor advertising industry from having to be licensed, thereby removing the least expensive and most effective means of enforcing outdoor advertising requirements. Exempting an element of the industry will weaken the entire Outdoor Advertising Act and will likely lead to attempts for further exemptions.

Appointments. *SB 1140 (Campbell)* — Revises composition and appointment of Workers' Compensation and Unemployment Insurance appeals boards.

This bill does not go to the heart of any significant issue affecting workers' compensation or unemployment insurance. Rather, it artificially constrains the appointment process and establishes labor and management categories that will tend to polarize rather than strengthen the decision-making process. Fair and intelligent board members make the real difference.

SIGNED

The following is a selection of bills either signed into law by Governor Brown or allowed to become law without his signature. Most measures will become effective January 1st, 1982. The exceptions are urgency bills, appropriations measures and those provisions carrying specific effective dates:

AGRICULTURE

Medfly. *AB 284 (Vasconcellos)* — Appropriates $50 million for eradication of the Mediterranean fruit fly. *AB 483 (Lehman)* — Appropriates $500,000 to help pay for a Mediterranean fruit fly research facility in Hawaii. **Garlic.** *AB 444 (Rogers)* — Extends the life of the Garlic and Onion Dehydrator Advisory Committee.

BUDGET AND FINANCE

Fines. *AB 189 (Cortese)* — Gives county supervisors the authority to increase penalty assessments in criminal cases $1 to finance jail construction. **Housing.** *SB 1149 (Beverly)* — Allows local governments to issue tax-exempt bonds to provide housing for city and county employees. **Budget.** *SB 110 (Alquist)* and several other bills — Enact state spending program for the current fiscal year. **Mortgages.** *AB 650 (Bane)* — Allows state-chartered financial institutions to issue flexible-rate mortgages. **Hostages.** *SB 159 (Campbell)* — Provides tax relief to Californians who were hostages in Iran. **Bonds.** *AB 1610 (Levine)* — Raises maximum interest rate for bonds sold by state colleges and universities to 12 percent. (This is similar to other bills raising the state's maximum interest rate.) **Capital gains.** *SB 690 (Presley)* — Eliminates capital-gains taxes for investments in small companies. **Lenders.** *SB 140 (Maddy)* — Creates a class of lenders known as consumer finance lenders.

BUSINESS AND PROFESSIONS

Contractors. *AB 465 (Costa)* — Tightens restrictions on unlicensed contractors. **Groceries.** *AB 65 (Rosenthal)* — Reinstates mandatory item pricing for groceries. **Insurance.** *AB 688 (McAlister)* — Increases fees for insurance companies. **Agents.** *AB 440 (Lockyer)* — Regulates agents for professional athletes. **Nurses.** *AB 845 (Moorhead)* — Authorizes nurses to form professional corporations. **Steel.** *SB 92 (Greene)* — Establishes the California Steel Industry Recovery Commission.

CRIME

Repeaters. *AB 383 (Cramer)* — Provides longer prison terms for repeat violent offenders. **Molestation.** *SB 586 (Rains)* — Increases penalties for child molestation. **Prostitution.** *SB 776 (Ellis)* — Requires prison sentences for those involved in child prostitution. **Parolees.** *AB 779 (Greene)* — Requires that local authorities be notified when criminals are paroled into their jurisdictions. **Paint.** *AB 1675 (Alatorre)* — Prohibits sale of spray paint to minors. **Frivolity.** *SB 229 (Doolittle)* — Allows police to recover costs of frivolous court actions brought against them. **Fingerprints.** *AB 52 (Rogers)* — Requires fingerprint on all drivers' licenses. **Drunk driving.** *AB 7 (Hart), AB 348 (Levine) and AB 541 (Moorhead)* — Impose tough new penalties for drunk driving, including mandatory minimum jail sentences. **Inmates.** *SB 303 (Davis)* — Increases population limits for county juvenile homes, ranches and camps. **Hazing.** *AB 1265 (Cramer)* — Increases penalties for hazing. **Ammunition.** *AB 2009 (Elder)* — Prohibits minors from possessing live ammunition without parental consent, except under certain circumstances. **Boat.** *AB 1463 (Hart)* — Increases penalties for operating a boat while under the influence of alcohol. **Limitations.** *SB 209 (Marks) and SB 276 (Rains)* — Extends the statute

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of limitations on rape and related sex crimes to six years. **Computers.** *SB 648 (Ellis)* — Makes it a crime to gain unauthorized access to a computer to obtain credit information. **Prisons.** *SB 176 (Presley)* — Authorizes the construction of three medium-security prisons in San Diego County. **Murder.** *AB 66 (Lockyer)* — Prohibits commitment of 18-year-old convicted murderers to the Youth Authority. **Pharmacists.** *AB 551 (Katz)* — Increases penalties for robbery of a pharmacist for the purpose of obtaining drugs. **Kickbacks.** *SB 959 (Garamendi)* — Makes it a felony for a doctor to take a kickback from a clinical laboratory. **Shoplifters.** *AB 1678 (Young)* — Gives merchants broader authority to search suspected shoplifters. **Bond issue.** *SB 153 (Presley)* Places $495 million prison-construction bond issue on the ballot. **Religion.** *AB 326 (Levine)* — Increases penalties for damage to places of worship and cemeteries. **Child abuse.** *SB 322 (Rains)* — Eliminates requirement that doctors report suspected sexual activity by unmarried teen-age girls. **Rape.** *AB 1151 (Levine)* — Broadens definition of rape. **Methaqualone.** *SB 289 (Davis)* — Increases penalties for possession of the drug methaqualone.

EDUCATION

Teachers. *AB 757 (Hart)* — Requires that applicants for teaching credentials pass proficiency examinations. **King.** *AB 312 (Harris)* — Declares January 15th, birthday of Martin Luther King Jr., a school holiday. **Special education.** *SB 639 (Sieroty)* — Appropriates $30 million to finance a projected deficit in special education. **Universities.** *AB 600 (Hughes)* — Changes the name of the California State University and Colleges to California State University.

ENERGY AND ENVIRONMENT

Pollution. *AB 2000 (Sher)* — Doubles the maximum fines that can be levied against air polluters. **Solar.** *SB 921 (Roberti)* — Establishes the Solar Energy Conservation Mortgage Corporation to be known as Sunny Mac. **Alcohol.** *SB 178 (Boatwright)* — Establishes tax credits for those who use alcohol fuels in their motor vehicles. **Cogeneration.** *AB 1862 (Baker)* — Makes it easier for industrial plants to obtain permits for the construction of cogeneration facilities. **Toxics.** *SB 618 (Carpenter)* — Establishes $100 million state "superfund" for the cleanup of dangerous toxic waste dumps and emergency chemical spills. **Tufa.** *SB 83 (Garamendi)* — Makes it a misdemeanor to deface a Tufa mound and creates the Mono Lake Tufa State Reserve. **Haulers.** *AB 1012 (McCarthy)* — Establishes a regulation system for haulers of hazardous substances. **Smog.** *SB 900 (Montoya)* — Increases size of Air Resources Board from five to seven members.

JUDICIARY

Regulations. *SB 575 (Carpenter)* — Allows small businesses to recover court costs in certain cases involving government regulatory agencies. **Juries.** *SB 35 (Beverly)* — Establishes pilot project in Los Angeles under which civil trial juries will consist of eight persons. **Booking.** *AB 1246 (M. Waters)* — Spells out right of an individual taken into custody for less than four outstanding traffic warrants. **Justices.** *AB 1538 (Harris)* — Creates new appellate court division to be headquartered in San Jose. **Mothers.** *AB 207 (D. Stirling)* — Allows a mother to challenge the presumption that her husband is the father of her child. **Attorneys.** *AB 329 (McAlister)* — Enacts the Uniform Durable Power of Attorney Act.

LABOR

Salaries. *SB 459 (Carpenter)* — Establishes the policy of "comparable worth" in setting salaries of state employees. **Strikes.** *AB 1131 (Bates)* — Prohibits peace officers from working for private employers at the site of labor disputes. **Disability.** *SB 347 (Greene)* — Increases weekly disability insurance benefits. **Agency shops.** *AB 1693 (Tucker)* — Permits agency-shop agreements in local government. **Disability.** *AB 1135 (M. Waters)* — Expands the number of domestic workers eligible for disability insurance coverage. **Workers' compensation.** *AB 682 (Young)* — Makes a series of changes in the workers' compensation program. **Transit.** *AB 105 (Lockyer)* — Establishes mechanism for resolving public transit labor disputes.

TRANSPORTATION

Gas tax. *SB 215 (Foran)* — Increases motor fuel taxes from 7 to 9 cents and raises other highway user fees, effective in 1983. **Prisoners.** *AB 76 (N. Waters)* — Authorizes special license plates for former prisoners of war. **Chips.** *AB 202 (Papan)* — Increases strength of California Highway Patrol by 670 positions. **Rides.** *SB 321 (Alquist)* — Provides ridesharing tax credits for employers. **Nozzles.** *AB 127 (Kelley)* — Places controls on vapor-recovery nozzles used at service stations.

MISCELLANEOUS

Redistricting. *AB 300-301 (Alatorre), SB 7 and 99 (Boatwright)* — Reapportion Assembly, Senate and Congressional districts. **Compensation.** *AB 263 (Lehman)* — Doubles maximum compensation for a director of a county water district from $50 to $100 a day. (This is similar to many other bills raising pay for local public officials.) **Campaigns.** *SB 42 (Carpenter)* — Prohibits conversion of campaign contributions to personal use. **Medi-Cal.** *AB 1261 (Torres)* — Makes numerous changes in the operation of the Medi-Cal and Children's Services programs. **Welfare.** *SB 689 (Presley)* — Gives peace-officer status to welfare-fraud investigators.

ROSTRUM *(continued from page 412)*

pact on the daily lives of the majority of Californians. Chet has been content to let others stand in the limelight while he is hard at work doing his part to improve our quality of life. Any Californian who has served in the armed forces, traveled a freeway, used a bus or train, or had a dispute with his employer has unknowingly benefited from some of the Wray legislation which has been enacted into law.

Chet has made several important improvements in the Cal-Vet program, especially in the area of ensuring that Vietnam veterans receive their fair share of benefits. This year alone, he has managed to see that Cal-Vet's loan limits were increased for disabled vets and used his Labor Committee to pressure the Employment Development Department to abandon its plan to fire scores of veterans who were part of the Disabled Veterans Outreach Program.

Wray's biggest contribution to transportation this year was AB 1010, which will keep the door open for the further development of rail transportation in the state. In spite of federal budget-cutting and heavy special-interest opposition, Chet deftly, quietly and successfully moved the bill through both houses of the Legislature. He used a similar technique two years ago when he saw to it that Orange County received a greater share of transportation funding with a bill that created a new and separate region for the county under Caltrans.

Mobilehome residents owe an enormous debt of gratitude to Chet Wray for the many pieces of legislation he has sponsored on their behalf. To the chagrin of the powerful park-owner lobby, Chet spends a great deal of time and energy protecting the rights of mobilehome residents as both property owners and tenants. His legislation has protected mobilehome residents from conversion threats, unfair fees, fraudulent sales practices and unreasonable eviction. I understand he will be introducing a comprehensive mobilehome rent stabilization bill in January, which will go a long way toward preventing many seniors from having to face a homeless future because of their inability to keep up with skyrocketing rent increases.

There is no question in my mind that the Legislature could use more members like Chet Wray: members who work hard, shun the limelight, dedicate themselves to the tasks at hand and are uninterested in the greener pastures of higher office.

WILLIE LEWIS BROWN, JR.
Speaker of the Assembly

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CHARTING THE LEGISLATURE

The following is a list of significant bills that will be pending before the Legislature at the start of the 1982 session in January.

ABORTION

SB 732 (Montoya). Prohibits the performance of an abortion without specified informed consent procedures and a 24-hour waiting period. (Assembly Judiciary Committee)

SCA 29 (Schmitz). Constitutional amendment guaranteeing the right to life from the moment of conception. (Senate Judiciary and Constitutional Amendments committees)

AFFIRMATIVE ACTION

SCA 39 (Schmitz). Constitutional amendment to prohibit quotas based on sex, race, creed, color, or national or ethnic origin, and to prohibit the granting of any preference on the basis of such factors. (Senate Judiciary and Constitutional Amendments committees)

CONFLICT OF INTEREST

SB 884 (Presley). Would prohibit legislators from accepting any fee or other consideration for representing any person before any state or local governmental agency. (Senate Rules Committee)

CONSUMER PROTECTION

AB 1787 (Tanner). Requires automobile manufacturers to either replace a vehicle or reimburse the buyer if a defect in a new vehicle is not repaired within four attempts or if the car is out of service for more than 20 days. (Senate Judiciary Committee)

COURTS

SCA 27 (Davis). Constitutional amendment abolishing the Commission on Judicial Appointments and requiring the governor's judicial appointments to be subject to Senate confirmation. (Assembly Judiciary Committee)

CRIMINAL JUSTICE

ACA 14 (McAlister)/SCA 10 (Presley). Constitutional amendments requiring judges to consider the public's protection, the previous criminal record of the defendant, and other factors in determining whether or not to grant bail. (ACA 14 is in the Senate Judiciary Committee; SCA 10 is in the Assembly Criminal Justice Committee.)

SCA 7 (Presley). Constitutional amendment prohibiting the courts from excluding evidence in criminal trials, except as provided by statute or decisions of the U.S. Supreme Court. (Assembly Criminal Justice Committee)

AB 246 (Goggin). Enacts Emergency Law Enforcement Funding Act of 1981 to finance by means of a 1 percent sales tax increase the development of community crime prevention programs, the construction and maintenance of local correctional facilities, and grants for state and local criminal justice agencies. (On Assembly floor)

SB 910 (Presley). Provides for the issuance of $280 million in state bonds for the construction and replacement of county jail facilities if approved by voters. (Assembly floor)

EDUCATION

SB 246 (Schmitz). Requires that names and addresses of high school and college students be supplied to the National Guard and armed forces for recruitment purposes unless a student or parent objects to the release of such information. (Assembly Education Committee)

EMPLOYMENT

AB 1292 (Cramer). Increases employer penalties for violations of occupational safety and health standards. (Senate Industrial Relations Committee)

ENVIRONMENT

SB 33 (Presley). Implements an annual smog inspection program for motor vehicles in California. (Assembly Transportation Committee)

SB 12 (Garamendi). Authorizes the submission to voters of an $85 million bond issue for the purchase of lands in the Lake Tahoe region. (Adoption of conference report pending)

SB 591 (Nielsen). Prohibits the State Air Resources Board from imposing requirements to control air pollution which are more stringent than federal requirements. (Assembly Energy and Natural Resources Committee)

HEALTH CARE

AB 610 (Berman). Requires persons to be given access to their medical records by physicians and health facilities, and permits health care providers to charge reasonable costs for copying such records. (Passed both houses; concurrence in amendments pending.)

AB 868 (Lehman). Expands the legal definition of chiropractic to reflect the actual scope of practice engaged in by most chiropractors. (Passed Assembly; not yet assigned to Senate committee.)

SB 617 (Carpenter). Allows foreign-trained nurses to be granted California licenses without an examination if their training programs meet state requirements. (Assembly Health Committee)

HOUSING

AB 256 (McCarthy). Prohibits discrimination in the rental of housing units against persons with children. (On Senate floor)

AB 2099 (Roos). Permits local governments to grant density bonuses for developments which include at least 25 percent low- or moderate-income housing units. (On Senate floor)

LIBRARIES

SB 358 (Nielsen). Creates the Public Library Fund, appropriates $23 million for the support of public libraries for 1981-82 and establishes a method for computing state aid to each public library in state. (On Senate floor)

MEDITERRANEAN FRUIT FLY

SB 834 (Watson). Appropriates $875,000 to study the health effects of malathion spraying to eradicate the Mediterannean fruit fly infestation in the Santa Clara Valley. (Passed both houses; concurrence in amendments pending.)

SB 593 (Vuich). Authorizes agricultural businesses in areas quarantined because of the Mediterannean fruit fly infestation to carry net operating losses from farming over to subsequent tax years. (Assembly Revenue and Taxation Committee)

SB 1271 (M. Garcia). Authorizes a taxpayer to receive a tax credit for the value of fruits and vegetables destroyed by authorities in connection with the eradication of the Mediterranean fruit fly infestation. (Senate Revenue and Taxation Committee)

SB 1273 (Mello). Permits food products to be labelled and advertised as organically grown even though they were sprayed with malathion. (On Assembly floor)

SOCIAL SERVICES

SB 14 (Presley). Reorganizes the state's system of social services. Implements federal foster-care reform by providing supportive services to families and emphasizing in-home and permanent placement for children. Revises child welfare and placement and protective services for children. (Senate Finance Committee)

TAXATION

AB 21 (Vasconcellos). Accelerates the state's collection of employer payments of employee income tax withholding and unemployment insurance taxes. (On Senate floor)

AB 746 (Kapiloff). Provides that windfall profits taxes on oil revenues cannot be deducted under state tax laws. (Senate Revenue and Taxation Committee)

WATER BONDS

AB 1200 (McCarthy). Enacts the Clean Water Bond Law of 1982 to provide for the issuance of up to $400 million in state bonds for clean water development. (On Senate floor)

WORKERS' COMPENSATION

SB 1158 (Greene). Revises workers' compensation law. Increases maximum death benefit to $100,000, increases maximum weekly earnings for purposes of temporary disability, permanent disability and partial disability. (Senate Industrial Relations Committee)

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Perspective from
WASHINGTON
By Leo Rennert

In search of John Wayne

Congressman John Rousselot was edging for some time toward a decision to run for the U.S. Senate, but he had trouble finding daylight in a super-crowded Republican primary field. The San Marino lawmaker has all the requisite conservative credentials and enjoys wide support among GOP officeholders and party regulars. He's an articulate, tireless campaigner who could more than hold his own against Jerry Brown in the general election next November.

ROUSSELOT ALSO IS acutely aware that nobody else in the Republican lineup is a real heavyweight. The incumbent, 75-year-old S. I. Hayakawa, has sunk to new lows in the polls. The front-runner, Representative Barry Goldwater Jr., has not caught fire and appears to be weakening as the campaign progresses. San Diego Mayor Pete Wilson and Congressman Pete McCloskey are slicing each other up over who's more loyal to Ronald Reagan and competing for moderate support in a party dominated by conservatives. Bob Dornan, the conservative firebrand from Santa Monica, is conducting a guerrilla campaign against the rest of the field with great gusto, but still remains back in the pack. He can't even claim a lock on the ultra-right, what with affable state Senator John Schmitz trumping him on the fringe. Schmitz's vision of a possible military coup by Pentagon generals if Reagan stumbles threatens to certify Dornan as a moderate. And if all this is not enough to stir the pot, there's Maureen Reagan, the president's daughter, threatening to grab conservative votes with the family name while espousing social views that probably make her the most anti-Reagan candidate in the lot. A Reagan running against a Goldwater for a seat held by a Hayakawa. As Easterners are wont to say: Only in California!

Surveying this scrambled scene with a stellar cast that even Cecil B. de Mille couldn't have assembled, Rousselot might have been forgiven for just throwing up his hands and walking away. He still may opt out when he makes up his mind this month. But in the meantime, he has been busy looking for possible openings that might induce him to become the fourth member of the GOP congressional delegation to challenge Hayakawa. Each candidate is talking about a primary war chest of up to $1.5 million. But how many really will be able to raise that kind of money? And how much could Rousselot count on? He's been conducting his own political poll to measure GOP voter attitudes and the relative strengths and weaknesses of potential opponents — particularly Goldwater. Says Rousselot: "Goldwater has maximum name recognition, but is it the same as running John Wayne? I don't think so."

Another key factor is the likely size of the field next June. That's anyone's guess at this point. Rousselot is convinced that Hayakawa is the likeliest beneficiary of a large field. Despite current poll findings that show the senator with as little as 15 percent support among Republican voters, Rousselot thinks Hayakawa can raise that to 30 percent during the actual primary balloting just on the strength of his incumbency. And that could be more than sufficient to win renomination against half a dozen opponents. On the other hand, what guarantee is there that Hayakawa won't bow out in the next few months?

All these uncertainties and imponderables bedevil not just Rousselot's calculations but the entire GOP contest more than six months before the primary election. With so many well-known personalities in the field, the race already is fully geared up. It might as well be April or May judging by some of the slam-bang attacks and counter-attacks. Dornan and Wilson have accused McCloskey of legitimizing PLO terrorists. McCloskey counters that he's a stronger supporter of Reagan's Middle East policy and has more guts than some of his rivals in bucking powerful special-interest groups. Reagan's 11th Commandment, "Thou shalt not speak ill of other Republicans," has become the first casualty.

So far, except perhaps for Maureen, most of the leading candidates have been trying to position themselves as loyal Reagan supporters. Some, like McCloskey and Wilson, have gone to great lengths to grab hold of the president's coattails. In fact, much of the early debate has had an I'm-a-more-genuine-Reagan-supporter-than-you-are quality. It will be interesting to see whether this holds up if the economy sours and Reagan's own popularity dims. Like it or not, Hayakawa and his challengers will have to stake out positions on the Reagan agenda. After all, it's the president who's setting the pace on Capitol Hill and defining the issues. But as foreign problems mount and domestic constituencies become more restive, GOP contenders for the Senate may find it more difficult to rubber-stamp Reagan policies. What Reagan proposes in Washington may not necessarily turn out to be a hit in Anaheim, Azusa or Cucamonga — let alone in Los Angeles.

TWO HIGHLY EMOTIONAL policy battles already have underscored this quandary for Hayakawa and his would-be GOP successors. One was the fight over Interior Secretary James Watt's push to open vast tracts off the Northern California coast to oil drilling. The other involved the Senate's razor-thin approval of Reagan's decision to sell sophisticated military hardware to Saudi Arabia. Both issues created deep splits among Republican contenders for Hayakawa's seat. McCloskey antagonized environmentalists and Jewish groups by siding with Reagan on both counts. Goldwater went the other way in each instance. Hayakawa parted company with Watt's drilling plans. On the AWACs plane sale, the senator first came out against it but finally voted for it, arguing Reagan had provided adequate assurances that the Saudis would pursue a more moderate course and not endanger Israeli security. Wilson had a similar change of heart. Both fights were politically troublesome for California Republicans caught in a tug-of-war between the White House and important constituencies back home. By next June, there may be many more.

Meanwhile, on the Democratic side, Jerry Brown may have some problems of his own as he tools up for the Senate race. Worrying about loyalty to Reagan is not one of them, however.

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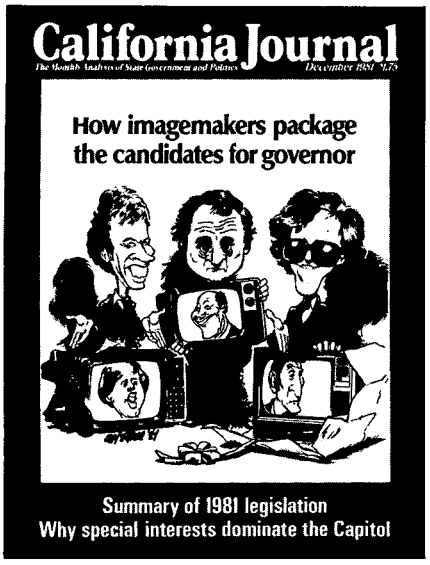
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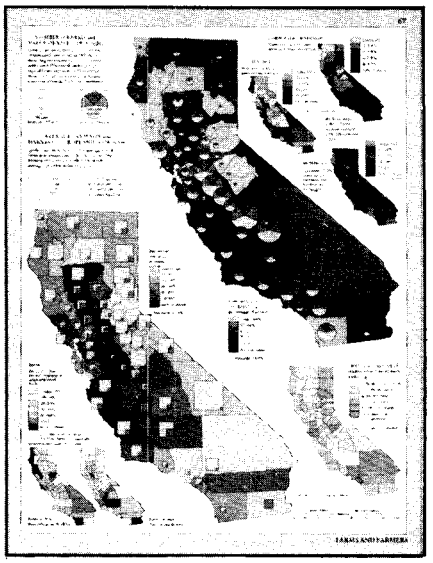

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We can't all be heroes because someone has to sit on the curb and clap as they go by.
— Will Rogers

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